

WAKE UP, WALES!

**A Survey of Welsh Home Rule
Activities**

By
EDGAR L. CHAPPELL

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FOYLE'S WELSH CO., LTD.

**121, CHARING CROSS ROAD,
LONDON, W.C.2**

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WAKE UP, WALES !

I. THE CASE FOR SELF-GOVERNMENT

Does Wales want a system of self-government ? If so, what form should it take ? A form which means absolute independence of England ? Or one in which the partnership with England is retained, and home rule is limited to certain functions ? Should these functions be purely administrative in character, or is a separate judicature also desired ? And particularly is the right to make its own laws demanded for Wales ?

Such questions as these are likely to be freely asked during coming months in discussions on political reconstruction. It is important therefore that the principal facts should be readily accessible in regard to the development of the United Kingdom State, the varying forms which self-government may take, the past history of Welsh home rule activities and the policies which from time to time have found favour with the several schools of Welsh political reformers.

This essay is not intended to be propagandist in character, although some attempt will be made to suggest a practical home rule policy. Its chief aim is to be informative—to provide within a small compass data, chiefly historical, which will help intelligent citizens to assess the merits and demerits of various proposals for self-government which have been advocated in Wales during the past half century.

In the first place, what are the grounds on which claims for Welsh home rule have been based ? These

4 A SURVEY OF WELSH HOME RULE ACTIVITIES

fall into two groups which may be described as

- (1) *National or Quasi-National*, based on special considerations relating to Welsh nationality or on special geographical or economic conditions affecting the population of Wales.
- (2) *Imperial*, based on the advantages which would be derived by the United Kingdom and the British Commonwealth as the result of all-round devolution.

Let us deal with these factors in order.

In Wales, as in Ireland, the claim for self-government has rested mainly on grounds of Nationalism, and has been supported by elaborate historical accounts of the development of modern Wales. Within the limited scope of this booklet it is impracticable to develop the historical argument.

The primary claim is that Wales, despite its inclusion in the British state, is a distinct nation with a long and distinguished history, its people possessing different racial characteristics from those of the Anglo-Saxons, and having a language, literature and general culture peculiarly their own, and an outlook on life very different from that of their neighbours.

A claim based on this consideration cannot lightly be dismissed. Nationalism has been and always will be a potent factor in social and political development. It is to this pride of nationality that England owes its high place in the family of nations. And, if nationalism or patriotism is commendable in an Englishman, why should its free exercise be denied to the Welshman?

Over-insistence on its significance on the one hand, and failure to recognise its due place in the scheme of life on the other, have been outstanding factors in the creation of two World wars. Small nations such as the Poles, the Greeks, the Czechs, etc., have been

inspired by their sense of nationhood to resist the attacks of larger States, whose excess of national pride has urged them to embark on schemes of territorial aggrandisement.

To ignore the spirit of nationalism is to seek international trouble. On the Continent, the amalgamation of distinctly different small nations has not been successful, and the view is spreading that the union of such States in a less organic form of government is more likely to lead to peaceful relations. Hence the growth of Federalism, the idea of a loose combination of States, each retaining its own national characteristics and national independence, but operating with a supervisory State, of which it is a member, exercising certain functions for the good of all.

The other aspect of the nationalist argument relates to the geographical characteristics of the land of Wales, a factor which largely affects its economic life and the outlook of its people. Wales is a mountainous country, and for that reason somewhat infertile, communications are difficult, and population in the greater part of its area is sparse.

Its agriculture is for the most part pastoral in character and does not call for a large body of labour. Towns and villages are, therefore, relatively few and small, and rural problems are very different from those in the broad acres of England. In many respects they are more difficult of solution and call for special methods of treatment. The unequal distribution of industrial undertakings which has led to the concentration of two-thirds of the population in the south-east, also, is a factor which has militated against national unity and has hampered the attainment of a uniformly high standard of public administration.

6 A SURVEY OF WELSH HOME RULE ACTIVITIES

It is claimed by Nationalist Home Rule advocates that the importance of these and similar factors has not, and cannot be properly appreciated by an English Parliament and an English administration, and that the establishment of a separate legislature and a separate system of public administration is necessary for the proper solution of Welsh problems.

Arguments based on national and quasi-national grounds are not the only factors—in my judgment they are not the most weighty factors—in the claim for Welsh self-government. Whilst I sympathise with and fully support the general claims based on national aspirations, I think they are likely to carry far less weight with the United Kingdom Parliament which, it must always be remembered, is overwhelmingly English in composition, than the second class of considerations to which I have referred.

The business of government today is very complicated and involved, and extends far beyond the confines of the United Kingdom. The volume of legislative and administrative business has increased enormously during the past half century, not only in regard to home matters but also in regard to matters of imperial and international import. The United Kingdom Parliament is choked up with business, and the machinery of government has been unable satisfactorily to cope with the demands upon it. So much time is taken up with matters of world importance that inadequate attention is being paid to the economic and social demands of the people at home, and great delay is experienced in dealing both with public and private bill legislation.

On account of the congestion the working of the democratic system is impeded in two ways :—

(1) The overwhelming bulk of Parliamentary time has been commandeered by the Government for the discussion of Cabinet statements and proposals, and there are few opportunities for the consideration of bills and representations sponsored by private members of Parliament. Parliamentary time is strictly rationed, and relatively few members are able to express their views even on measures of outstanding importance.

Under modern Party arrangements they have little freedom of expression or of action, and most members are merely *automata* recording their votes at the behests of party whips. Owing to the limited free time available the special needs of any particular part of the United Kingdom cannot be considered. Wales, it is claimed, is at a great disadvantage in this respect.

Scotland, it is true, by reason of the fact that it has partial self-government under the control of a Scottish Secretary of State, is allotted special days in Parliament for Scottish business, and has been able to secure special legislation in several directions. Quite recently, for example, the Government at the request of the Scottish Office, has decided to guarantee an amount of up to thirty million pounds on a hydro-electric scheme for the Highlands.

Wales, on the other hand, has no special arrangements. It is treated merely as a province of England, and with the exception of a few measures, e.g., Sunday Closing, Intermediate Education, and Dis-establishment Acts, it is grouped with England both for legislative and administrative purposes, and no special provision is made for its needs.

(2) There is insufficient popular control over the State departments. Parliament in theory supervises

8 A SURVEY OF WELSH HOME RULE ACTIVITIES

the various branches of the Civil Service. In practice, however, such supervision is of a very perfunctory character. During the past fifty years bureaucracy has developed to an extraordinary degree, and there is room to fear that the Civil Service today dominates Parliament, most members of which have but little opportunity of modifying official policy or exercising any check on maladministration. The dangers arising from bureaucratic control are increasing year by year as new departments or extensions of existing departments are made.

The seriousness of the situation, both in regard to legislation and administration has long been realised, and before the last War the Earl of Dunraven gave expression to his uneasiness in the following terms when supporting a plea for a scheme of devolution :—

“Devolution is necessary . . . for Great Britain. It is necessary in order to restore efficiency to Parliament. Parliament must be purged if the Democracy is to rule. We are drifting, if we have not already drifted, into a bureaucratic system. By a large delegation of power departments have been placed beyond Parliamentary control. . . . For any practical good that he can do the private member has ceased to exist. The representatives of the people have become a sort of electoral college for the creation of a Cabinet, an oligarchy masquerading as a democracy rule; representative government and Parliamentary institutions are becoming a sham.”

The same considerations led the House of Commons in 1919 to pass a resolution for the appointment of a Committee to draft a scheme for the devolution of Parliamentary functions to subordinate legislatures.

II. FORMS OF SELF-GOVERNMENT.

Before reviewing past efforts to secure political autonomy for Wales, we should have a clear idea as to the forms which self-government may take. Governmental organisation, especially in old-established democratic States like ours, tends to become very complex, but, speaking generally, it falls into three main divisions, viz. :—

- (1) A *Legislature* or Parliament for the enactment of laws regulating national economy.
- (2) An *Executive*—the administrative organisation, with political and civil departments, which has to do with the promotion of most new legislation and the application of national laws through officials controlled by Ministers who are nominally responsible to Parliament.

Below the Central Government are local arrangements—a form of State administration—comprising elected councils and nominated bodies, to which the State has delegated, subject to many checks, duties, powers and functions, the cost of which may partly or wholly be borne from State funds or partly or wholly by the levying of local rates. For the purposes of this essay such local forms of government may be ignored.

- (3) A *Judicature*, comprising salaried judges of the High Court and County Courts, registrars, justices of the peace, etc., for deciding points of law, adjudicating on disputes relating to property, and trying persons for offences against life and property in violation of national law.

Where these functions (ignoring local government arrangements) are all centralised, and there is no subordinate legislative authority, the State is described as a *Unitary State*. The United Kingdom is such a State. When a State comprises an assembly of subordinate States, which have independent legislatures

10 A SURVEY OF WELSH HOME RULE ACTIVITIES

and administrations for certain purposes, but which are also subject to general laws made by the major State, we have an organisation which is described as *Federal*. The United States of America is an outstanding example of this type.

A federal system generally arises from the association of existing small States, but there seems no reason why Federalism cannot be brought about also by the sub-division of an existing unitary State, such as was contemplated in the United Kingdom when *Home Rule All Round* was almost an accepted policy some forty to fifty years ago.

Devolution of State powers downwards to subordinate units within its scope may vary in kind and degree. Devolution may be complete as when the United Kingdom granted what is known as *Dominion Status* to Canada and Australia and later to Eire. In such cases the Mother Country relinquishes all legislative and administrative control to the daughter States, subject to such States acknowledging the authority of the Crown. In theory the granting State can recall the devolution, but in practice such a development would hardly be possible.

In other cases devolution may cover certain legislative, administrative and judicial powers, accompanied by a reservation of other powers to the granting State. This is what occurred in the case of Northern Ireland, a State which, although it has complete control over the greater part of its domestic business through its own Parliament and Government, is still subject to the United Kingdom in respect of certain matters, and continues to send representatives to the British Parliament. Such devolution is of a quasi-federal character.

In other cases devolution does not apply at all to legislative functions but only to administrative and judicial arrangements. Such is the case in regard to Scotland, which, although a unit of the United Kingdom as regards legislation, has a measure of administrative and judicial autonomy in regard to some functions, which is exercised through a Minister known as the Secretary of State for Scotland.

Unlike Ireland and Scotland, Wales forms part of the body of England, and has been granted no form of devolution in any of the above-mentioned senses. From time to time somewhat half-hearted attempts have been made to secure federal devolution along the lines of that granted to Northern Ireland, and of administrative devolution like that possessed by Scotland, whilst during recent years the Welsh Nationalist Party have been demanding Dominion Home Rule patterned on that of the Irish Free State. None of these efforts have met with the slightest success.

As, in connection with the demand for Welsh Home Rule, a comparison of the position of Wales with that of other units of the United Kingdom will probably be made, it may be well to show at the outset that on historical grounds her claims are not so strong as those of her sister nations.

Until 1922, the United Kingdom was a political unit comprising the whole of the island of Great Britain and Ireland, under the authority of the same Parliament and Government. The State as it then existed had developed through the absorption or amalgamation over a period of many centuries of smaller States.

After the Norman Conquest the small Anglo-Saxon

12 A SURVEY OF WELSH HOME RULE ACTIVITIES

kingdoms were welded together into the State of England. Theoretically, the Norman kings also ruled over Wales, but actually that territory was shared among Norman marcher-lords and native princes, each of whom was practically an independent ruler over his own special domain.

In 1282, the conquest of the portion of Wales under Welsh rule was effected by Edward I, and, by the Statute of Wales signed at Rhuddlan in 1283, the Welsh Principality was annexed to the English Crown and divided into shires on the English model.

After the annexation Welshmen were debarred from participation in the government of the country and the administration of the English laws, or in any way from representing the sovereign authority. For nearly two centuries the Welsh were subjected to repressive legislation, with the result that the country was reduced to a state of lawlessness and anarchy which the Council of the Marches was unable to repress.

At last the accession to the English throne of the Tudors—a Welsh dynasty—resulted in somewhat improved relations, and during the years 1535-1542, in the reign of Henry VIII, a more generous policy was introduced with the object of winning the goodwill and co-operation of the Welsh people.

The Act of Union of England and Wales (1535-42) provided for the political fusion of the two countries, and the abolition of the Lords Marchers. English laws were to apply in Wales as in England, the present territorial limits of the country were fixed, the whole of the country was divided into shires, and Welshmen were allowed to participate in the business of government. By the Act of Union Wales became part and

parcel of England, although, by reason of its distinct language and racial characteristics, it has continued to be a separate nation.

The merging of Scotland with England came very much later. It was a separate kingdom until 1603, in which year James VI of Scotland also became James I of England. The union was one of crowns only. Scotland continued its separate existence as a State until 1707, in which year the Parliaments of England and Scotland confirmed a treaty of amalgamation. By this Act of Union the two States of England (including Wales) and Scotland were created into a new State with a common Parliament.

A clause in the Act, however, provided that the laws of Scotland should continue undisturbed, and a Secretary of State was appointed by the British Government to administer Scottish affairs. Such an office continued in being until the Jacobite Rebellion in 1745, after which it was abolished and Scottish affairs came under the control of the Scottish Advocate (the chief Scottish law officer), who was attached to the British Home Office. From time to time also, new departments were created separate from those of England to deal with certain functions.

In the 1850's an agitation was commenced in Scotland for a greater measure of administrative autonomy, and the re-appointment of a Secretary for Scotland, and in 1885 the demand was conceded. Since that year, in so far as certain powers and duties are concerned, Scotland has had separate administrative arrangements from those of England. Later, Scotland was granted special days for the transaction of Scottish business in Parliament.

Ireland has been a province of the English Crown

nominally since the eleventh century, actually since the fifteenth century. For centuries it had its own legislature, but later had also to obey laws passed by the English Parliament. It was granted legislative independence in 1782, but the machinery broke down following the Irish Rebellion of 1798, and in 1800, both the British and Irish Parliaments passed an Act uniting the two States under the title United Kingdom of Great Britain and Ireland. The Irish were granted representation in the British Parliament, and a separate administration and judicature were set up under the control of a Secretary for State for Ireland.

The Act of Union, however, was not popular, and considerable opposition was offered to the attempted repression of Catholicism. Other grievances were also resented. In 1829, O'Connell commenced his agitation for the Repeal of the Union, and from time to time for nearly a century the Irish political leaders pressed their demand for Home Rule. A federal system of government was all that was claimed. The demand for complete separation came later.

Difficulty in meeting the Irish request arose on account of the hostility between Irishmen themselves, the Ulster Protestants being opposed to a system of government which might bring them within the power of a Parliament dominated by the Southern Ireland Catholics. In 1920, the Government of Ireland Act provided for the partition of Ireland into two separate States, each with its own Parliament and Government for domestic affairs, and each having direct representation in the United Kingdom Parliament. This resolution was reluctantly accepted by Ulster, which had no desire for Home Rule, and the State of Northern Ireland came into being. The other

provinces, however, refused the scheme, and by another Act passed in 1922, the Irish Free State (Eire) was created with dominion status.

It will be seen from the foregoing statement that the position of Wales differs substantially from those of the sister countries. Not only was Wales united with England centuries before the other units but the merge was far more complete. Since 1535, Wales has had no independent political existence, either as regards legislation or administration, although until 1820 it had a separate judicature known as the Court of Great Sessions.

Both Scotland and Ireland, on the other hand, have always had a measure of self-government in the form of administrative and judicial arrangements, even subsequent to the union of their Parliaments with that of England. Wales has never had a Parliament representing the country as a whole, whereas the sister nations were legislatively independent until 1707 and 1800 respectively.

Furthermore Wales has, since the Act of Union with England (1535) if not since the Statute of Rhuddlan, been reconciled to English domination, and, unlike Ireland, has never unitedly demanded the right of self-government. In effect Wales has been absorbed politically and economically in England for centuries, although the cleavage based on language and cultural and religious characteristics has persisted in a measure right down to the present day.

Even this cleavage is becoming yearly less pronounced, mainly owing to the great influx of English and other alien people since the industrial era, the advent of whom has resulted in the blurring of the division between the two nations. It is this factor.

16 A. SURVEY OF WELSH HOME RULE ACTIVITIES

the influence of which the advocates of Dominion Home Rule consistently ignore, which makes the realisation of the Welsh Nationalist Party's objective quite impossible.

Another factor bearing on the question of complete devolution, which must not be overlooked, relates to area and population. Wales is very small in both these respects, and its financial capacity is possibly too restricted to enable it to administer by means of its own resources public services comparable in standard with those of England.

Here are the statistics relating to each unit in the British Isles :

		<i>Area.</i>	<i>Population.</i>
		Sq. Miles.	
England	..	50,328	.. 37,359,000 (1931)
Scotland	..	30,405	.. 4,842,980 (1931)
Wales		8,012	.. 2,593,332 (1931)
Northern Ireland		5,238	.. 1,279,750 (1937)
Irish Free State		26,600	.. 2,968,420 (1936)

It will be seen from these figures that Wales is very small in relation to England, and has little more than half the population of Scotland. The comparison with the Irish States is more favourable. It has double the population of Northern Ireland and has only about an eighth less than the population of the Irish Free State. On the grounds of area and population, therefore, its claims to self-government are no less strong than those of the Irish States. It must not be forgotten however, that Ireland is separated from Britain by a more distinct physical boundary—the Irish Sea—and also that provision has been made for the amalgamation of the two Irish States when the rival parties can reach agreement.

The severance of Scotland, and especially of Wales, from England by the formation of independent States would create a far more difficult situation than the severance of Ireland. The economic interests of England and Scotland and Wales are very closely intertwined. Not only State functions, but also the interests of commercial undertakings and labour organisations would be materially disarranged by a complete separation of the units, and it is extremely unlikely that either statesmen or citizens would favour the cutting away either of Scotland or Wales from the major partner.

Although Dominion Home Rule may be impracticable a good case can be made out for splitting up the unitary State of the United Kingdom into subordinate units, each with its own local Parliament and independent administration for certain purposes, with a Federal Parliament and a Federal Government for safeguarding the good of all. Such an arrangement might well provide a satisfactory solution for the dissatisfaction generally felt today with the failure of the British Parliament to meet public demands.

It would relieve the congestion on the United Kingdom Parliament and enable elected representatives to justify the confidence reposed in them by the electors. The local Parliaments would be able to deal with their own special problems, and to pass legislation suited to their own particular needs. Members and constituents could be kept in closer touch with one another and the democratic principle would be more efficiently and faithfully applied.

Administratively also there would be a closer check on bureaucracy. The local State officials would be under the eye of a body of local Members of

18 A SURVEY OF WELSH HOME RULE ACTIVITIES

Parliament, who would be able to exercise better supervision over the Civil Service than is possible in the case of the members of the United Kingdom Parliament.

A Federal system of government would doubtless involve greatly increased cost, as new Parliament houses and administrative offices would be needed, as well as an increase in staff. As against this increased expenditure, however, there is the certainty of legislation and administration more in accord with local needs.

Since, in this section, we are dealing with forms of self-government, it may be well to correct an impression which some people have that a certain amount of devolution has already been granted to Wales. This arises from the fact that during recent years it has become the practice of central government departments to set up regional offices for local administrative purposes. Nearly all the important State offices have opened branches in Wales.

Such branch offices are in charge of civil servants of fairly high rank, to whom have been *delegated* certain powers to deal with local matters in accordance with the policies of the departments concerned. They work under the direction of their London headquarters, and are answerable to the Ministers concerned who may at any time enlarge or diminish their powers and duties, and who themselves in turn are directly responsible to Parliament.

Of such regional offices in Wales the most important is the Welsh Board of Health. The Board consists of salaried civil servants, and, although it has now a wide range of powers, it is in fact a local office of the Ministry of Health. Such delegation of functions

to regional offices is not devolution ; if, however, the Welsh Board and similar departments were placed under the control of a Minister appointed to deal with Welsh matters only, *delegation* would by that action be converted into a form of *administrative devolution*. Devolution, therefore, necessarily implies a measure of political re-organisation.

Although such regional delegation is not devolution it is nevertheless to be welcomed. Not only can public business be more conveniently transacted locally with responsible Government officials, but the latter are kept in close touch with local needs and requirements. The regionalisation of central government functions also tends to make easier the later development of a partial or full measure of administrative devolution to a Welsh Ministry, and of legislative devolution to a Welsh Parliament.

Such delegation, however, although it leads to increased administrative efficiency may involve increased cost. In this connection it may perhaps be recalled that the Geddes Economy Committee of 1922 proposed the closing down of the Welsh Board of Health on the ground that the regionalisation policy had led to unnecessary duplications of staff, and that the transference of the office to London would enable an amount of £40,000 a year to be saved.

III. THE CYMRU FYDD MOVEMENT.

Until the General Election of 1865, Wales was represented in the House of Commons mostly by Tories. In that year 18 Liberals were returned against 11 Conservatives, and following the Reform Acts of 1867 and 1885, which enfranchised large bodies of industrial workers, small farmers and farm labourers, Liberalism became and remained the dominant political creed of the Welsh people until recent years, since when Labour Socialism has been in the ascendancy.*

Welsh Liberalism was largely linked up with Nonconformity, to which sect most Welshmen belonged after the 1850's, and dissatisfaction with the privileged position of the Anglican Church and resentment against the payment of tithes gave rise to a demand for the Disestablishment and Disendowment of the Welsh Church, a measure which occupied first place in Welsh Liberal programmes down to the passing of the Act of 1914.

The outstanding political demand of English Liberal leaders was for Irish Home Rule. At first this received only half-hearted support from Welsh Liberals, and the possibility of Home Rule for Wales does not seem to have occurred to them. Thomas Gee, Michael Jones of Bala, and other publicists were strong advocates of cultural and religious nationalism, but the first demand for political autonomy for Wales was made by Robert Ambrose Jones (Emrys ap Iwan) in the early 1880's. To achieve this objective

* Thomas Evans has shown in *The Background of Modern Welsh Politics* that the conversion of Wales to Liberalism had commenced in the 1840's.

he also advocated the organisation of an independent Welsh National Party in Parliament.*

Emrys ap Iwan does not appear to have secured a large following, but he had an enthusiastic convert in a young Merionethshire Welshman, T. E. Ellis, who, whilst at Oxford, had been much influenced by the writings of Joseph Mazzini (the Italian patriot) and Thomas Davies (the Irish Nationalist poet). After leaving Oxford, Ellis took up a political secretarial appointment in London and also did some journalistic work.

Early in 1886, a group of young Welshmen, convened by J. Burrell, met in Ellis's rooms at Westminster and formulated a Welsh political programme, the chief item in which was Welsh Home Rule, and at the General Election a few months later Ellis was returned on this programme as Member for Parliament for his native county.

A few months after his election, in April, 1887, the London *Cymru Fydd Society* was started, and on May 7 the first general meeting was held, Tom Ellis presided. A number of resolutions relating to policy were passed, the first of these in favour of Home Rule being proposed by D. Lleufer Thomas. Ivor Bowen and T. Woodward Owen were appointed secretaries, and T. H. W. Idris treasurer of the new movement. A year or two later a similar society was formed in Manchester.

A printed manifesto issued on behalf of the London Society with the 1888 accounts is a statement of its objects and methods. The following is an extract from this document :—

* The idea of a united Welsh Party was not new ; it was advocated in *Yr Amserau* as far back as 1846.

22 A SURVEY OF WELSH HOME RULE ACTIVITIES

“The chief aim and purpose of the Society is to facilitate the attainment of a National Legislature for Wales, with full control over all purely Welsh business, and a Welsh Executive responsible to it and the Imperial Parliament, where Wales would still be represented.”

The movement made relatively little progress, but it provided Tom Ellis, Lloyd George and other political orators with opportunities for advocating Welsh Home Rule and a policy of independent action by an Independent Welsh Parliamentary Party.

Tom Ellis seems to have early created a favourable impression in Parliament, and from the first he missed no opportunity of pushing Welsh matters to the fore. In 1887, he introduced a Welsh Land Bill, and a few years later influenced Gladstone to set up a Welsh Land Commission. He also took an active part in the furtherance of the Welsh Intermediate Education Act (1889) and, when the Local Government Bill (which established County Councils) was before the House of Commons in 1888, he moved an amendment (subsequently withdrawn) which provided for the establishment of a Welsh National Council.

This body was to consist of representatives of the new County and County Borough Councils, together with the Welsh Members of Parliament. Its functions were to be administrative and deliberative only. Its members were to consider all matters relating to Wales. Later, it was hoped, the National Council might be endowed with legislative powers.

Tom Ellis was the acknowledged leader at this time of the Welsh Nationalist Movement which included, outside Parliament, such doughty fighters as Lloyd George and D. R. Daniel. As the resolution quoted above shows, the Home Rule policy favoured by Ellis and his friends was one of Federalism; the

idea of Dominion Home Rule was not at this time held even by the Irish. The advent of Lloyd George to Parliament in 1890 gave Wales an even more effective advocate than Ellis, and much was expected from their combination.

The first effort to express the demand for Welsh self-government in the form of a Parliamentary Bill was made in July, 1891, during Lord Salisbury's administration. The Bill was presented by Alfred Thomas (afterwards Lord Pontypridd) and is said to have been drafted by an English Chancery barrister named Theodore Dodd. It was entitled the *National Institutions (Wales) Bill*, and was described as "A Bill to appoint a Secretary for Wales, to constitute a Welsh Education Department, to make further Provision for Local Government, and to create a National Council in Wales." In addition to Alfred Thomas the Bill was backed by Thomas Ellis, Bowen Rowlands, David Randell, Pritchard Morgan, D. Lloyd George, Lloyd Morgan, Thomas Price, Samuel Evans and J. Herbert Lewis.

The Bill is a lengthy document containing 30 clauses and two schedules. As it reveals the ideas of pioneer Welsh Home Rulers a summary of its chief clauses may be useful. The main points were :—

- (1) The appointment of a Secretary for Wales who may be a member of either House, and who should be "acquainted with the national wants and administrative requirements of Wales."
- (2) In him shall be vested the powers and duties of the principal Secretaries of State (except the Secretary of State for War), the Local Government Board, Commissioners of Works and Forests and the Charity Commissioners, "so far as such powers and duties relate to Wales." Also the Lord Chancellor's powers for the appointment and removal of magistrates in

24 A SURVEY OF WELSH HOME RULE ACTIVITIES

Wales, and the Privy Council's powers and duties relating to the Police and Public Health.

- (3) The Secretary is also to have power to inquire into the development of fisheries and harbours, the reclamation and afforesting of waste lands, and the development of industry generally.
- (4) The Crown is to have power to constitute a Welsh Department of Education, consisting of the Lord President of the Council, the Secretary for Wales, and "such Members of the Privy Council as His Majesty may appoint." The powers and duties of the English Education Department relating to Wales are to be transferred to the Welsh Education Department, and this department is to have power to make regulations for the teaching of Welsh in schools.
- (5) The Secretary for Wales, on application of any five Welsh County Councils, may set up a National Council for Wales representative of the sixteen County and County Borough Councils, "to discuss and inquire into such matters as they shall deem of common interest to Wales," including such matters as the management of Crown lands, Royal Charters and State funds for a Welsh University and a National Museum for Wales, and the assertion of public rights to the use and enjoyment of commons, mountains, foreshores, etc.
- (6) The National Council is also to have power "to pass Bills in the nature of private Bills" relating to public works in Wales, subject to the approval of the Secretary for Wales, and also to confirm provisional orders made by the Secretary.
- (7) The Secretary is also empowered from time to time to transfer to the National Council any statutory powers and duties of the Privy Council, the Board of Agriculture, the Board of Trade or any other Government Department, of an administrative character relating to matters "arising within Wales."
- (8) The costs of the National Council are to be borne by the Welsh county and county boroughs.

Some slight effort seems to have been made to arouse public interest in Wales in the Bill, and in

August, 1891, two conferences were held at Llan-drindod Wells to consider its provisions.

About the same time consideration was also being given to a proposal, much favoured by the *Cymru Fydd* leaders, for the setting up by Welsh County Councils of a Joint Committee under Section 81 of the Local Government Act of 1888, which authorised the formation of such bodies "for any purpose in respect of which they are jointly interested."

Lloyd George was much interested in this proposal, and in December, 1891, at a Conference held at Shrewsbury such a body was actually formed "to confer upon matters of interest to the counties and county councils of Wales." This Conference also passed a resolution in favour of transferring private legislation from Westminster to Wales.

The movement for the formation of an Independent Welsh Party with a well-defined Welsh programme received little support either in the constituencies or from the Welsh Members of Parliament, and the inclusion, in October, 1891, in the nine-point Newcastle Liberal Programme of three burning Welsh questions—Welsh Disestablishment, Local Veto of the Liquor Traffic, and Land Reform—won over the practically complete allegiance of Wales to the Liberal Party.

Welsh Disestablishment was given second place after Irish Home Rule in the Newcastle Programme, and, as this was by far the most important Welsh political demand of this period and the early return to power of a Gladstonian Ministry was anticipated, Welsh political leaders did not deem it wise to press for a measure of Welsh Home Rule.

Nevertheless, in February, 1892, during the second

Salisbury administration, *the National Institutions (Wales) Bill* was again introduced, but in a form amended in accordance with the decisions of the previous autumn conferences. This Bill was backed by seventeen Welsh members in addition to its proposer, Alfred Thomas. The most important variations from the previous year's measure were the following :—

- (1) The National Council was now to consist of a President, one representative of each County and County Borough Council, and one representative (Merthyr Tydfil two) directly elected by each Parliamentary constituency.
- (2) Instead of the powers of the Local Government Board, Commissioners of Woods and Forests and Charity Commissioners being vested in the Secretary of Wales, it was now provided that they should be vested either in :—
 - (a) The National Council for Wales, or in
 - (b) A Local Government Board for Wales which should be responsible to the National Council.
- (3) The Bill also provided that the expenses of the National Council and the Local Government Board should be met out of Parliamentary funds instead of being defrayed by the County authorities.

It will be seen from the foregoing summaries that the National Institutions Bills provided for a larger measure of administrative autonomy for Wales than was possessed by Scotland.

As in the case of Scotland the Secretary was to be the primary link between the Central Government and Wales and in him were to be vested most of the transferred powers. Unlike Scotland, however, he was to share responsibility with an elected Council, and might have to relinquish much of his authority to that Council. The scheme also provided for a measure of legislative devolution which Scotland even today does not possess.

As will already have been appreciated the National Council was to have composite functions, serving—

- (1) As a forum for the discussion of matters of general interest to Wales.
- (2) As a Central Government department exercising supervision either directly or through appropriate departments.
- (3) As a Legislative Assembly for dealing with Bills relating to public works of various kinds promoted by local authorities and private agencies.
- (4) As a Vigilance Committee in regard to Crown rights in land and the assertion of public rights to the use and enjoyment of common lands and to access to mountains, waterfalls, rivers, sea inlets, etc.

A body embracing such a queer jumble of functions was never likely to commend itself to a British government, and would also probably be rejected otherwise on constitutional grounds. It is not proposed to attempt a critical analysis of the various provisions of the Bill, but it may be well to point out one obvious difficulty, to which reference will also be made later in regard to other proposals.

It is a canon of the British Constitution that the Executive must be directly responsible to Parliament. The 1892 Bill proposed to vest administrative power in an elected body not responsible to Parliament. Some Departments were to account to the National Council, of which the Secretary for Wales was not necessarily even a member, and no provision was made for securing Parliamentary control over its activities.

In August, 1892, Gladstone became Prime Minister for the fourth time, and the *Cymru Fydd* movement sustained a severe set-back by the acceptance by its chief leader, Tom Ellis, the champion of the policy of independent Welsh action, of the office of Government whip. Such acceptance, although it was generally

approved by his Parliamentary colleagues and by most Welsh Liberals, virtually ended Ellis's career as a Welsh national leader, although he continued his interest in Welsh affairs until his death in 1899.

The 1892 election had been fought mainly on the Irish Home Rule issue. The net result was a majority of only 40 for Gladstone's policy. In England there were more Unionists than Liberals. In Ireland, Scotland, and Wales the Liberals were overwhelmingly in the majority. 31 out of 34 Welsh members were Gladstone's supporters. It is not surprising, therefore, that Gladstone, in face of his narrow Parliamentary majority, wished to secure the allegiance of Welsh Liberals by including one of its prominent members in his Ministry.

A vigorous demand by Wales at this time might have made Welsh Home Rule a dominant Parliamentary issue and resulted in the adoption by the Government of a HOME RULE ALL ROUND policy, for the Government, with its narrow majority, could not afford to alienate the support of a compact national group. The Welsh members, however, put their loyalty to Liberalism before Nationalist claims, and Ellis was no longer in a position to push the policies he had previously advocated. As a sop to Wales, Gladstone in December, 1892, agreed to appoint a Royal Commission to inquire into the Land Question in Wales.

Tom Ellis, having been nobbled by the Government, the leadership of the Welsh Nationalist movement fell to Lloyd George, and, both in the country and at Westminster, he continued his enthusiastic advocacy of special treatment for Wales. In 1893-4, with the support of Frank Edwards, D. A. Thomas and Herbert Lewis, he led a revolt against the with-

drawal by the Rosebery Government of a Welsh Disestablishment Bill, and urged the formation of an Independent Welsh Party. Most of the Liberals refused to join in this movement, but Wales generally supported the protest.

A Cymru Fydd Society, started at Barry in 1891, having fizzled out, Llewelyn Williams and others of Lloyd George's rank and file Liberal friends founded at Neath in 1894 the *Cymru Fydd League**, whose membership was comprised mostly of young men under thirty—Lloyd George was himself at this time only about 32,—and Llewelyn Williams and R. A. Griffiths (Elphin) were appointed Secretaries of this League for North and South Wales respectively. Lloyd George became president.

During the succeeding months an active campaign was carried on throughout Wales on behalf of *Cymru Fydd*, and before the end of the year between thirty and forty branches had been established. So rapid was the progress that it was found necessary to employ a paid organiser, and Beriah Evans resigned the editorship of *Y Genedl* to take up the post. The *Young Wales Magazine*, of which J. Hugh Edwards became editor, was also founded as the organ of the movement.

At this time there were separate Liberal Associations for North and South Wales. D. A. Thomas, the president of the South Wales body, became suspicious of the new movement. During 1895-96 there was much strife between the Associations and the League, and Lloyd George was severely assailed in the Liberal Press. Lloyd George was out to re-organise Welsh political forces and to federate the existing Liberal agencies. Ultimately, in 1897, both the

* For an account of the formation of the *Cymru Fydd League*, see an article by Llewelyn Williams in *The Welsh Outlook*, May, 1919, and also his chapter entitled *Political Life* in D. A. Thomas, *Viscount Rhondda* (1921).

Associations and the League were merged in a new body, the Welsh National Liberal Federation, of which body Lloyd George became the first President.

Whilst these things were happening in the constituencies, Lloyd George missed no opportunity in Parliament of proposing measures in the interests of Wales and Welsh autonomy. When, in 1895, the Welsh Disestablishment Bill was in Committee he proposed an amendment vesting the management of Welsh tithes in a Welsh National Council which was to be elected by the County Councils of Wales. This amendment received the backing of his Welsh colleagues and was accepted by the Government. Before the Bill could become law, however, the Government was defeated by a small majority on a minor Army estimate,—the cordite issue,—the Liberal Ministry resigned, and on an appeal to the country with Irish Home Rule as the main plank, the Unionists won by a substantial majority and continued in power until after the conclusion of the Boer War.

During this conflict, Lloyd George attained national fame by his defence of the small South African nationalities and henceforward his main interests extended beyond Wales into Empire and World politics. Since the 1880's and 1890's—which may roughly be described as the *Cymru Fydd* period—there has been no widespread organised movement in Wales up to the formation of the Welsh Nationalist Party, and no outstanding Parliamentary advocate of Welsh self-government. Even during the *Cymru Fydd* period it cannot be said that there existed a demand for Home Rule either in the Welsh constituencies or on the part of Welsh members of Parliament in any way comparable with that which aroused such enthusiasm and determination in Ireland.

IV. NATIONAL COUNCIL FOR EDUCATION.

Since the failure of the *Cymru Fydd* movement, Welsh self-government demands have for the most part been narrowed down to educational control, a development which has probably hindered rather than furthered the cause of full Home Rule. The idea of a National Council for Education was probably suggested by the 1891-92 proposal for a National Council for Wales, but it does not seem to have taken concrete form until about ten years later.

Whilst the Education Bill of 1902 was before Parliament, Lloyd George, in the course of a debate on Section 17 which provided for the federation of local Education Authorities for certain purposes, complained that Prime Minister A. J. Balfour had not fulfilled an alleged promise to grant educational autonomy to Wales, and pressed for the setting-up of a Welsh National Education Council.

This demand was not complied with, but a couple of years later the Board of Education prepared a model scheme for the establishment in Wales of a Joint Education Committee or Federation, comprising representatives of local Education Authorities, for the purpose of administering such matters as the training of teachers, the examination and inspection of schools of all grades, and such other matters as the several authorities might from time to time determine.

Discussions on these proposals took place during 1904-5, and considerable differences of opinion were revealed. Objection was taken to the inclusion of

any representatives on the Committee other than those of the local authorities who provided the funds.

It was also contended that the statutory basis of the scheme did not provide ample security of tenure for the proposed Federation. The scheme was not obligatory, and its success depended solely on the goodwill of the constituent bodies. Any one of these had the right of withdrawal at any time. Furthermore, the Federation was not to have independent rating powers and had therefore to rely for support on the voluntary contributions of the constituent bodies, a financial condition which was deemed too precarious.

The foregoing difficulties might possibly have been overcome if a satisfactory settlement could have been reached as to the basis of representation. The largest authority—Glamorgan—insisted that representation should be proportionate either to contributions or population. Under the Board's proposals the joint authority was to consist of 51 members, 13 only of whom were to be appointed by Glamorgan, four by Cardiff and two by Swansea, although at least half of the population of Wales was settled in these areas. Agreement could not be reached on this issue, and the scheme fell through.

In 1889 was passed the Welsh Intermediate Education Act which provided for a system of secondary schools in Wales and authorised the setting up of machinery for inspection and examination. Under the latter provision the Central Welsh Board was established in 1896.

This was an independent inspecting and examining body, upon whose reports the Treasury made grants from funds provided by Parliament. The establishment of this Board was hailed as the first step towards Welsh educational autonomy.

The arrangement worked satisfactorily until the passing of the Education Act of 1902, which enabled the chief education authorities in England and Wales to provide secondary education within their areas. Under this Act, in 1904, a new system of grants in aid of secondary schools was established, and provision was made that the supervision of such schools should be exercised by the Board of Education.

No provision had been made in the 1902 Act for co-ordinating the Welsh Intermediate system with the new system of secondary school education, with the result that when the latter system was extended to Wales the Intermediate Schools were left under C.W.B. control, whilst Secondary Schools were supervised by the Board of Education. As the latter schools were given more generous grants than the former the Intermediate Schools were at a disadvantage compared with the new type of school.

The disadvantages of the dual system of educational supervision were in time realised and the C.W.B. sought to extend its control to cover secondary schools in Wales, and to obtain equality of financial assistance for both classes of school. The Board of Education was not disposed to relinquish its powers to the C.W.B. and this conflict between the two authorities may be the explanation of the recurring demand for the unification of educational control in Wales which has persisted since 1906.

In the latter year the Liberal Party came into power and Lloyd George got a seat in the Cabinet. One of the first measures to be introduced was an Education Bill, which was to be in charge of Augustine Birrell, and which was to include a clause for the establishment of a Council of Education for Wales. In

34 A SURVEY OF WELSH HOME RULE ACTIVITIES

support of this proposal a National Conference was convened in Cardiff on March 23, 1906.

The case for a National Council was presented by D. Brynmor Jones. There was much difference of opinion in regard to detail, and ultimately a drafting committee was appointed to prepare a scheme for the consideration of the Government. It was this scheme which formed the basis of Clause 37 of the Birrell Education Bill.

The following is a summary of the clause in question :—

- (1) The King by Order in Council is empowered to establish a central education authority in Wales to be called the Council of Wales consisting of representatives of County and County Borough Councils, and of Borough and Urban Districts having populations of over 25,000 in 1901.
- (2) In determining the number of representatives to be appointed by each authority regard is to be paid to population and rateable value, but each County and County Borough Council shall appoint at least two.
- (3) The Council of Wales is to have power to supply and to aid the supply of education of all kinds in Wales.
- (4) The following powers and duties, as far as they relate to Wales, are by Order in Council to be transferred to the Council of Wales, viz., those of the Board of Education, Board of Agriculture and Fisheries (relating to instruction connected with agriculture and forestry), and the Central Welsh Board.
- (5) The Board of Education are in each year to pay to the Council of Wales any money granted by Parliament in respect of education and science and art in Wales, with the exception of money granted in aid of the universities and university colleges.
- (6) The Council of Wales may be granted by Order in Council powers to raise funds by means of contributions from the member-appointing authorities, for the

borrowing of money and the acquisition and holding of land, and "for any other matters for which it is necessary or expedient to make provision for the purpose of enabling the Council to perform its duties or exercise its powers."

- (7) The draft of any Order in Council is to be laid for four weeks before each House of Parliament, before submission to the King.

The National Council proposal of the Birrell Bill was badly criticized in Wales mainly on the ground that its composition was confined to representatives of elected councils and no provision was made for the inclusion of persons with educational experience.

In the House of Commons, Clause 37 was so severely attacked by A. J. Balfour and others on constitutional grounds, that the Government were forced to withdraw it from the Bill. As a sop to Wales for this disappointment a Welsh Department of the Board of Education was established in 1907. Lloyd George and Herbert Lewis are commonly credited with this development.

This concession, however, was not acceptable to Welsh educational leaders as a final settlement of Welsh aspirations. The idea of an autonomous national education authority, suggested by Lloyd George in 1902 and provisionally conceded in the 1906 Education Bill, had now taken firm hold, and in September, 1908, a conference held at Shrewsbury demanded the introduction into Parliament in the next session of a Welsh National Council for Education Bill with provision for the appointment of a Welsh Minister.

D. Brynmor Jones, who had been associated with the 1906 proposal, was asked to draft a Bill on lines similar to the rejected Clause 37, but allied with a

36 A SURVEY OF WELSH HOME RULE ACTIVITIES

proposal for the appointment of a Secretary for Wales. This modification was presumably intended as a means of overcoming the constitutional objections which had been made to the Birrell proposal. The following is a summary of the Brynmor Jones National Council proposals, which contained some variations, e.g., in regard to the composition of the National Council, from those of the 1906 Bill. The Secretary for Wales proposals will be dealt with later :—

- (1) The Council of Education for Wales is to consist of L.E.A. representatives together with a number of persons to be appointed by a Secretary for Wales.
- (2) The Council is to have an Executive Committee not exceeding 21 in number, 18 of whom were to be appointed by the National Council and three by the Secretary for Wales.
- (3) The National Council is to have powers to make and amend standing orders, to appoint necessary staff subject to the approval of the Secretary for Wales, to supply and aid the supply of education of all kinds in Wales, including the provision of training for teachers, to delegate all or any of its powers except in regard to finance to the Executive Committee, and to appoint Consultative Committees. The Council is to meet at least twice a year.
- (4) The following powers and duties are to be transferred to and exercised by the National Council—
 - (a) Powers and duties of the Board of Education, including inspection and examination of schools, framing of Codes, regulations for elementary, secondary and technical education, and the training of teachers.
 - (b) Powers and duties in regard to education of the Board of Agriculture, Central Welsh Board, Home Office, and any other State Department.
- (5) Council is empowered to demand from each constituent authority an amount not exceeding the produce of a 1d. rate.

- (6) No resolution or act of the Council or its Executive is to have any validity or effect until ratified and confirmed by the Secretary for Wales.
- (7) The constituent authorities are to have power, subject to the consent of the Secretary for Wales, to delegate to the National Council the performance of any duty (except the duty of keeping and maintaining efficient public elementary schools) under the Education Acts, and it shall be the duty of the National Council to discharge the duties so delegated.

The Brynmor Jones proposals were considered by another national conference in 1909, but failed to secure acceptance, again on the ground of the basis of representation, although their author claimed that he had tried to recognise "the preponderance of the industrial districts without sacrificing the claims of the more scattered rural population."

Since 1908, numerous conferences have been held and innumerable resolutions passed by Local Authorities and other interests in regard to the National Council proposal. Whilst the principle has for the most part been accepted there has generally been disagreement on questions of function and finance and particularly on the basis of representation.

In 1913-14, following another national conference, many Welsh authorities again pressed the Government for legislation to achieve national educational autonomy, and Lloyd George is said to have encouraged and supported these representations. The introduction of E. T. John's Bill for full Home Rule for Wales in 1914 lessened the enthusiasm for the narrower claim and, by reason of the War, the movement lay dormant until 1917, when questions of post-War reconstruction were being considered.

In August of that year the Central Welsh Board

38 A SURVEY OF WELSH HOME RULE ACTIVITIES

convened a Conference at Llandrindod Wells at which the following scheme was approved by majority.

- (1) The appointment of a Parliamentary Secretary for Wales.
- (2) The establishment of a Welsh National Council for education, comprising 100 L.E.A. representatives and 14 representatives of the University and the teaching profession.
- (3) The National Council to take over and control all educational powers in Wales, and to have power to appoint Committees and delegate powers to them, and also to set up Consultative Committees.
- (4) The powers of the Parliamentary Secretary in relation to the Council to be so defined as to render effective the control of Parliament so as to enable the Secretary, in case the Council (or its Committees) make default in the proper discharge of the duties imposed upon it, to discharge the same in place of the Council.
- (5) The expenses of the National Council to be met by the Treasury.
- (6) The creation of the National Council is not to discharge any of the Councils from their obligation to perform any of their duties as local education authorities.

Although these resolutions were passed almost unanimously by the Conference it did not follow that the Local Education Authorities were agreed upon them, and, as the demand for the National Education Council is still alive, it may be of value to state some of the objections raised by certain authorities.

The Cardiff Education Committee, in a closely reasoned Memorandum, made the following criticisms :

- (1) It was proposed to replace the Board of Education with its specialist staff, knowledge and experience, by an inexperienced and unwieldy body meeting only two or three times a year, whose educational policy and objects were not defined.
- (2) Local education authorities looked to the Central Authority for help and guidance in three directions

which the National Council would be unable to render :

- (a) The encouragement of initiative and enterprise in educational development and the avoidance of bureaucratic attempts at standardisation. The Board of Education complied with these conditions but there was no confidence in a new body of limited outlook.
 - (b) The formulation of wise and comprehensive schemes. The wide range of experience of the Board of Education over all the country made them better fitted in this connection than a restricted body.
 - (c) At present the educational system was free from the imposition of rigid regulations unsuited to local conditions, but there was no confidence that this condition would continue under the proposed regime.
- (3) The financial effects of the suggested scheme were uncertain as urban areas are unduly counterpoised by the rural areas. Furthermore, no information as to the financial effects of the scheme was available.
 - (4) The meaning of the term *control* was uncertain and confusing.
 - (5) The distribution of monies provided by Parliament by a body not appointed by Parliament was inconsistent with a root-principle of self-government. The proposal involved the abandonment of the principle of Parliamentary control of local government.
 - (6) The National Council Movement was managed by a small group of people whose proposals had not been thoroughly examined by the various elected bodies.

The Glamorgan Authority's attitude, although not definitely hostile, was in conformity with a critical Memorandum prepared by its Clerk, T. Mansel Franken. Its chief points were the following :—

- (1) The relation of the Parliamentary Secretary to the National Council is not clear. Is he to be the master or the servant of the national body? To whom are the staff (paid from Treasury funds) to look for orders—

40 A SURVEY OF WELSH HOME RULE ACTIVITIES

to the Secretary or the Council? Will the Treasury allow interference with the principle of entire control by a Minister responsible to Parliament? Mr. Franklen expressed the view that the scheme was practicable only as part of a scheme of devolution to a Welsh Parliament.

- (2) Insufficient protection is provided for L.E.A.'s against the power claimed for the National Council of dispensing Parliamentary grants on principles and for purposes settled by themselves.
- (3) The scheme is unjust and undemocratic. It violates two democratic principles,
 - (a) That the taxing body should consist wholly of elected persons ;
 - (b) That the people to be taxed should be fairly represented.

The principle of proportionate representation might be waived in the case of a consultative body, but there was no justification for the abandonment of the principle of equality of rights when the distribution of public money contributed by all was involved.

The Llandrindod Conference had contemplated the inclusion of their proposals in the forthcoming Fisher Education Bill, but this measure had to be withdrawn as the result of opposition from Lancashire, and in view of the Government's expressed intention of granting Home Rule to Ireland the Llandrindod Conference Executive decided not to proceed further with the National Council proposal, but to press instead for an extension of the Irish proposals to cover Wales also.

It was also anticipated by some that Section 6 of the new Education Bill of 1918 would provide a means of securing a measure of national educational autonomy for Wales. Under this provision, L.E.A.'s could set up a Joint Committee which might speak for the whole of Wales. In practice, however, the clause was of little value as any Committee set up

under it (*a*) would lack a sufficient degree of permanence, and (*b*) the scope of the powers and functions were limited to those of the constituent authorities.

In 1919-20 there was some activity in Parliament centred around proposals for Federal Devolution, and a Welsh Parliamentary Bill for the appointment of a Secretary for Wales, and the National Council movement remained dormant.

Meanwhile, the Committee on the Organization of Secondary Education in Wales (Hon. W. N. Bruce, Chairman) in its Report (Cmd. 96, 1920) expressed a measure of endorsement for the National Education Council, and also discussed the constitutional objections to the generally favoured proposal.

It emphasised that the Minister in charge of education must necessarily be responsible to Parliament. He could not be treated as a mere mouthpiece of a National Council in Parliament. Such a conception of a Minister's functions would involve a change in constitutional practice, as well as certain difficulties of a practical kind.

It did not seem to be fully realised that the powers and acts of the Board of Education, or of the National Council, if established, were the powers and acts of the Minister, who was responsible to Parliament for all that was done in the name of the Board or the National Council even although such acts were not approved by him.

Furthermore, the Minister had frequently to make rapid decisions on matters of policy and he might not always know whether or not the National Council agreed with his views. As the National Council would necessarily be a very large body meeting only a few times a year in Wales it would be impracticable for

him to consult it when a statement had to be made urgently. These objections would apply whether the National Council was under the control of the Minister of Education or of a Secretary for Wales.

There was the additional point that the head of every department is a member of the Government, and as such may at any time be pledged to a policy which may have been decisively condemned in Wales.

After much consideration the Bruce Committee prepared a scheme of its own of which the following is a brief summary :—

- (1) A National Council of Education should be established containing not more than 120 members, a substantial majority of whom should be appointed by L.E.A.'s, the remainder by the University, the teaching profession and other educational bodies.
- (2) Such Council should cover all branches of Education, including the University, and should absorb the University Court and the Central Welsh Board.
- (3) The Council should appoint Standing Committees for examination and other matters.
- (4) The primary functions of the National Council should be *advisory* and *deliberative*. It would discuss all types of education in its broadest aspects, and would have links with the Minister and the L.E.A.'s.
- (5) It should also have *administrative* functions, including functions *delegated* to it by the Minister, the provision and control by arrangement with L.E.A.'s of institutions for the maintenance of which the county is, as a rule, too small an area.
- (6) Other functions might be the collection, arrangement and circulation of information on educational subjects, the organisation and conduct of school examinations, and participation in the selection of a unified inspectorate.

It will be noticed that this scheme, apart from the reference to functions *delegated* by the Minister, is a scheme for the establishment of a Council on the

Local Government level and does not involve any conflict with constitutional principles. For this reason the appointment of a Secretary for Wales would be purely an extraneous matter.

In previous schemes it was contemplated that the educational powers and functions of the Board of Education and other Government departments would be *devolved* to the National Council and so would cut across constitutional practice. To meet this difficulty, in part at any rate, the Committee suggested the *delegation* instead of the devolution, of functions by the Minister. Under delegation the National Council would administer functions allotted to them merely as agents of the Minister, much in the same way as County Councils today administer trunk roads as agents of the Ministry of Transport.

The publication of the recommendations gave another fillip to the National Council movement. In July, 1921, the Central Welsh Board, the Federation of Welsh Education Committees and the University Court approved in principle the Bruce Report proposals. In the following months a Conference held at Llandrindod Wells expressed general concurrence, Newport only dissenting, and appointed an Executive Committee to prepare a scheme of representation and to report on the financial aspects.

Although the Conference approved the principle of a National Council, there was great diversity of opinion in regard to its scope and functions and its relation to the State and the Local Authorities, and much criticism was again directed against it in the Press and elsewhere. The suggestion that the constitutional difficulty had been overcome was not generally accepted, and it was contended that the

44 A SURVEY OF WELSH HOME RULE ACTIVITIES

delegation proposed did not solve the problem, and that no solution was possible in the absence of a Welsh Parliament.

It was also objected that the National Council could not be both an Executive and Advisory body. If Executive it became a State department, and therefore could not in an advisory capacity occupy a position subservient to itself. If advisory only, its establishment could not be justified on the grounds of the time and money involved. Was Wales to give up the autonomy of the Central Welsh Board merely in return for the privilege of offering advice to London?

Another point stressed was that if there was to be a National Council for Education should there not also be National Councils for other functions, e.g., Health and Agriculture, a position which if it developed would lead to great complexity and confusion?

It was also alleged that the satisfaction of national pride was given priority of place over efficient educational administration. The L.E.A.'s were said to be hampered by factors which the establishment of a National Council could not solve. Particular attention was drawn to the lack of unity between the Local Authorities, the varying degrees of enthusiasm and progressive spirit shown by them, the lack of cohesion and direction towards a sound national education policy, the absence of proper co-ordination between the elementary and secondary school systems, and the unsatisfactory provision made by the responsible Local Authorities for education in arts and crafts and in the provision of special schools for blind and defective children, etc.

The hardship arising from the extreme poverty of

some authorities and of the gross ineptitude of others was emphasised, and the failure of Local Authorities to combine for the provision of arrangements for forms of education serving larger areas than those of individual authorities was vigorously condemned. This class of critic advocated the creation of a national authority on a local government level, dealing with the needs of Wales as a self-contained unit, and leaving central government functions either with the Minister for Education or with a Secretary for Wales.

Meanwhile the Conference Executive Committee got to work on the preparation of schemes relating to representation, functions and finance, and in due course these were presented to another Llandrindod Conference held in June, 1922. There follows a summary of the chief points agreed to by that gathering :—

- (1) REPRESENTATION.—The National Council was to consist of 210 members, 136 appointed by the L.E.A.'s, and 74 by other bodies. Of the former total, Glamorgan was to appoint only 31.
- (2) FUNCTIONS.—The scheme provided for a piecemeal and gradual *delegation* of powers by the Board of Education, and other Departments, the Treasury to hand over to the Council an appropriate proportion of the total Parliamentary Vote for Education. The Treasury was also to make a grant to the Council to meet expenses in so far as it discharged functions of an advisory character to the Minister of Education. Details of the functions to be delegated were given.
- (3) FINANCE. In the absence of separate financial details for Wales an accurate estimate of payments made out of funds voted by Parliament could not be given. On a population basis, however, it was estimated that the proportion of the Parliamentary vote falling to the share of Wales was 6/80.

The Conference also approved a scheme of Standing Committees and authorised a deputation to await on the Minister of Education and other authorities.

The passing of the Llandrindod resolutions did not further the National Council movement very much. Soon the Lloyd George Coalition Government broke up and action was delayed by the operation of national economy provisions and the General Elections of 1923-24. In view of these disturbed conditions the Committee deemed it wise to delay action.

In February, 1925, the Central Welsh Board decided to press for action and in June, 1927, a joint deputation representing the Board, the University Court, and the Federation of Education Authorities awaited on the Minister of Education to further the National Council scheme. In reply Lord Eustace Percy stated that, whilst he could not view their proposal with favour, he was prepared to consider "the possibility of appointing a purely advisory council to which he could turn for advice on matters of national importance to Welsh education."

A month later Lord Eustace Percy invited the University Court to submit proposals along these lines. In response to this request a Joint Committee under the chairmanship of Hon. W. N. Bruce was set up to draft proposals, and after much deliberation a scheme was prepared which provided for an Advisory Committee of twenty persons appointed by the Minister. When this was submitted in July, 1928, the University Court rejected it by 37 votes to 21.

Attempts to obtain agreement on an alternative scheme on an advisory basis having failed, the Central Welsh Board, in June, 1929, resolved to set up a National Joint Committee comprising representatives

of the three national bodies, together with representatives of the teaching profession, for the furtherance of the National Council movement on the basis of the Bruce Report recommendations. In June, 1930, a national conference was held at Llandrindod Wells to consider the matter.

The National Joint Committee began their work by reviewing the 1922 scheme, and they appointed two sub-committees to report on (1) Constitution and powers, and (2) Finance. Messrs. R. A. Weatherall and F. J. Alban were asked to advise on the financial aspects and the Hon. W. N. Bruce was invited to submit a memorandum on the constitutional aspects.

The national emergency of the early 1930's delayed the deliberations of the National Committee, and it was not until March, 1935, that they were in a position to present their report. This was submitted to another Llandrindod Conference in the following June. As the recommendations largely followed the lines of previous schemes already described only a very brief summary is necessary.

- (1) National Council to cover all forms of education ;
- (2) Council to consist of 136 L.E.A. representatives and 95 representatives of other interests ;
- (3) Appointment of a Secretary for Wales ;
- (4) Subject to regulations of a general character certain specified powers of the Ministry of Education in regard to Wales to be delegated to the National Council ;
- (5) Financial provision designed so as to ensure that Wales should not be in a less favourable condition than at present. This implied—
 - (a) A fixed grant equivalent to that of a standard year.
 - (b) A variable grant being an agreed fraction of the excess estimated over expenditure in a standard year.

48 A SURVEY OF WELSH HOME RULE ACTIVITIES

- (6) National Council to act as an advisory body to the Minister of Education, and also to L.E.A.'s.
- (7) National Council to discharge functions of the University Court.
- (8) A number of Standing Committees to be formed.
- (9) A unified inspectorate to be appointed by a Joint Committee comprising an equal number of persons appointed by the National Council and by the Secretary for Wales.
- (10) National Council to administer functions of a national character.
- (11) Relation of Council to L.E.A.'s as regards delegated powers to be that now subsisting between the Board of Education and the authorities.
- (12) Members' expenses to be paid.
- (13) Power for National Council to levy a rate not exceeding $\frac{1}{2}$ d. in the pound for general work of a national character.
- (14) National Museum and National Library to be invited to come within the scheme.

Although the Llandrindod Conference endorsed the proposals of the National Joint Committee, the scheme did not receive general acceptance either by the general public or even by the L.E.A.'s, and was badly attacked in a section of the Press. The assurance of protagonists of the scheme that the problem of representation had been solved, that the constitutional difficulty had been overcome by the device of delegation, and that the formula of Messrs. Weatherall and Alban had settled the financial obstacle, did not succeed in warding off opposition.

In July, 1935, the Llandrindod Conference Report came before the University Court at Aberystwyth, and was subjected to such severe criticism that its rejection seemed likely. To avoid this a resolution was proposed and carried referring the matter for consideration to the University Council and Academic Board.

This decision was interpreted as a defeat. Later, the Federation of Local Education Authorities referred the scheme to its constituent bodies, a majority of whom either expressed disapproval or did not trouble to discuss the matter.

During the next half a dozen years the proposal lay dormant. Recently, however, the Federation of Local Education Authorities has been considering proposals for post-war educational reconstruction, and, in spite of the chequered history of the proposal, has again declared in favour of a National Council of Education for Wales and the appointment of a Secretary for Wales. More recently still, in December, 1942, the Central Welsh Board made a similar re-affirmation.

And now we may expect another Llandrindod Conference, and another revival of the fruitless agitation which, during a period of 40 years, has retarded progress towards Welsh autonomy on sound and practical lines !

V. ADMINISTRATIVE DEVOLUTION.

It has been shown that, although the *Cymru Fydd* Nationalists favoured a system of federal devolution on somewhat similar lines to that now in operation in Northern Ireland, their Parliamentary efforts were directed mainly to the achievement of a measure of autonomy in the administration of home affairs.

The NATIONAL INSTITUTIONS (WALES) BILLS of 1891-2 provided for the appointment of a Secretary for Wales in whom were to be vested, in the first instance at any rate, the powers and duties of various departments "in so far as such powers and duties related to Wales." He was to be advised and assisted—and to some extent his functions were to be curtailed—by a National Council of elected members, which was also to be vested with limited powers of legislation.

Such a scheme of government had thus a much wider scope than that possessed by Scotland and for this reason, apart from serious constitutional objections it never stood any chance of acceptance by a British Parliament. The National Council idea, as I have shown, was subsequently limited by the Central Welsh Board and associated bodies to one function, that of educational control. The ill-success of the National Council of Education movement has caused increasing attention to be directed of late to a more simple and less controversial issue, that of obtaining administrative autonomy through a Secretary for Wales on lines similar to that operating in Scotland.

Scotland and Wales are outlying portions of Great

Britain, and despite anglicizing influences, they may still be regarded as nations separate and distinct from England. They are both relatively small in regard to population, and their geographical, agricultural and general economic conditions are to some extent similar, and a case for administrative devolution for Wales can usefully be based on the Scottish precedent. An examination of Scottish arrangements is therefore necessary to the proper understanding of the problem.

Before doing this, however, it may be of advantage to state briefly the special claims which have from time to time been put forward on behalf of administrative autonomy under a Welsh Secretary of State :

- (1) The devolution of administrative functions is essential as a recognition by Parliament of Welsh nationhood—of the right of Wales to govern itself.
- (2) The institution of a Welsh system of administration will increase the efficiency of public services in Wales by bringing them under the control of a Welsh Minister, who will be able to devise policies suitable to Welsh circumstances and needs. He will also be able to put forward the Welsh point of view to the English Ministers controlling services not devolved and so secure better consideration for Welsh needs.
- (3) The separation of Welsh administration from that of England will enable financial and other details to be kept apart, thus enabling public expenditure on Welsh services and income from Welsh sources to be accurately ascertained, so providing reliable data for the better consideration of proposals for possible further devolution. At present public administration, as regards Wales, is tied up with that of England and, as was discovered by the National Education Council advocates, it was not possible to obtain reliable estimates as to the financial effect of self-government proposals.
- (4) The establishment of a Welsh Administration under a Welsh Secretary of State will enable special considera-

52 A SURVEY OF WELSH HOME RULE ACTIVITIES

tion from the Welsh point of view to be given to the clauses of any prospective new legislation, with a view to the inclusion of provisions for securing to Wales the full benefit of the measures and a fair share of public moneys.

- (5) A Welsh Minister in close touch with public opinion in Wales, by virtue of his office, will be enabled to initiate and carry through with Government backing special legislation relating to Wales, and will also be able, as in the case of Scotland, to command special days in Parliament for Welsh business.
- (6) The granting of administrative devolution is the first logical step towards full self-government and is a necessary fore-runner of the Legislative Chamber. In the past the establishment of a Welsh Office has sometimes been opposed through an unfounded fear that it would delay full devolution.

Let us now see how administrative devolution operates in Scotland. The Scottish system was created by the Secretary for Scotland Act, 1885. This Act provided for the appointment of a Scottish Secretary, having similar powers and duties to those of the Secretary for Ireland. In him, or in departments under his control, were vested certain functions previously performed by United Kingdom Ministers.*

Scotland, however, seems to have had a certain amount of separate treatment in matters of government before that date, e.g., a Registrar-General's Department was set up in 1854, a Scottish Board of Control in 1857, an Education Department in 1872, and a Fishery Board in 1882. These and some new departments were brought under the control of the Scottish Secretary under the Act of 1885, and amongst

* A description of Scottish government arrangements will be found in the *Report of the Committee on Scottish Administration* (Cmd. 5563, 1937). The arrangements are strongly criticised in C. de B. Murray's *How Scotland is Governed* (1938).

the chief functions brought within the scope of the new regime were Public Health, Poor Law, Lunacy, Fisheries, Education, Prisons, Food and Drugs, Registration and Census, and River Pollution. Additions were made by an Act of 1887 and later legislation.

In 1926, the status of the office was raised by a new Secretaries of State Act. All government functions were now vested theoretically in eight Secretaries of State—the number was further increased in 1937—each of whom could exercise the duties of any office ; in practice, however, one of them was made responsible for Scottish affairs and designated Secretary of State for Scotland. The appointment of a Parliamentary Under-Secretary was also authorised.

The present-day structure of the Scottish system of government does not constitute a homogeneous whole, and the departments are not co-ordinated with one another. Some of them are autonomous central authorities in themselves, and the only connection between the several departments and the Scottish Office lies in the fact that each of them is under the control of the Secretary of State for Scotland who answers for all of them in Parliament.

The Secretary's jurisdiction, however, does not apply to all public functions. Some branches of State activity are administered over Scotland as well as over England and Wales by Ministers in charge of British departments centred in London.

At the head of the special Scottish structure is the Secretary of State, and under him are four main departments—the Scottish Office and the Departments of Education, Health and Agriculture, with four minor departments administering Fisheries

Lunacy and Mental Deficiency (Board of Control), Prisons, and Registration (including Census).

The Secretary's chief duties are to exercise supervision over the various departments, to answer in Parliament for each of them, to act as the mouthpiece of Scottish opinion in the Cabinet, to express Scottish views not only on matters coming within his own jurisdiction, but also on many questions affecting the British Government departments, and generally to consult with and advise the latter departments on points arising out of the application of British general legislation to Scotland.

The Secretary's headquarters must necessarily be in London so that he can attend to his Parliamentary as well as his administrative duties. The department, with which he is most closely associated and which in practice is his administrative instrument, is the Scottish Office, which is also located in London, except that since 1935 there has been a branch office located in Edinburgh.

The Scottish Office corresponds largely to the English Home Office (but with a far wider range of duties), and discharges functions relating to police, prisons, lunacy and mental deficiency, fisheries, forestry, local government machinery, elections, Parliamentary Bills and Provisional Orders, and a variety of other duties, including liaison with English government departments administering Scottish business.

Under the jurisdiction of the Scottish Office are the Fisheries Board, the General Board of Control, the Prisons Department and the Registrar-General's Department. The other three chief departments are located at Edinburgh, but each also has a liaison staff in London, which keeps the departments in touch

with the Secretary of State and with the several British Ministries.

The Scottish Education Department is theoretically a Committee of the Privy Council. The Education Act, 1918, conferred powers direct upon the Department, and not on the Secretary of State, and the latter is its head only by reason of the fact that he is a Vice-President of the Privy Council. The Department is independent of the Scottish Office and reports directly to the Secretary of State.

The Scottish Health Department was constituted in 1929, in succession to the Scottish Board of Health (created 1919) which absorbed the former Scottish Local Government Board (created 1894). Like the Department of Education, it is a separate entity and independent of the Scottish Office. Its duties are vested in the Department and comprise all health services, housing, health insurance, pensions, public assistance, town and country planning, local government and environment services. This Department is directly responsible to the Scottish Secretary.

The Department of Agriculture was set up in 1929 in succession to the Scottish Board of Agriculture (established 1911). It also is independent of the Scottish Office and directly responsible to the Secretary. Whilst it is the responsible authority for Scottish agriculture, certain agricultural matters, for example, animal diseases, are administered by the British Ministry of Agriculture. This arrangement is for the purpose of securing uniform administration throughout Britain.

To ensure proper Parliamentary control over the Scottish administrative services special days are set apart for the transaction of Scottish business, an

arrangement which has also facilitated the introduction of special Scottish legislation.

Inasmuch as the tendency of Welsh political thought is in favour of modelling a Welsh administrative system on that of Scotland, it may be well to point out that Scottish arrangements are not unanimously approved in that country, although any proposal for their abolition would doubtless be fiercely resisted. Criticism has been directed against them from two groups of people—from the Nationalists who demand a full measure of Home Rule, and from those who wish to merge Scotland for government purposes into England.

The following is a brief statement of some of the chief criticisms made mostly by the latter group :

- (1) It is contended that Great Britain is too small a unit to justify the splitting up of functional responsibility on a territorial basis.
- (2) The government of Scotland can be discharged as efficiently and at much less cost by the English Ministries as by a separate Scottish organisation.
- (3) It is too much to expect one Minister to be responsible for the conduct of four main departments of government as well as four minor ones, which in England would be the care of several Ministers, and also to keep in touch with the administration in Scotland of other services controlled by British Ministers. The result, it is said, of piling so much responsibility on one man is that Scotland is dominated by bureaucrats and democratic control is weakened.
- (4) As devolution is not and cannot be complete—for today trading services, labour organisation, road and railway facilities are organised on a large scale, and are not limited by territorial boundaries—there is divided responsibility for public administration as a whole.
- (5) As the headquarters of the Secretary of State must necessarily be in London so as to enable him to attend

to his Parliamentary duties there is a tendency for departments centred in Edinburgh to refer even relevantly minor matters to London for decision, a procedure which results in delay and inconvenience.

- (6) Complaint is also made of the inconvenience resulting from the enactment of special legislation for Scotland as compared with England and the waste of Parliamentary time involved, and also of the lack of effective control by Parliament over Scottish business.
- (7) Other complaints relate to the structure of government. There is said to be lack of unity and of uniformity in the system of administration which militates against efficiency and results in extravagant costs.

Some of the last class of objections were investigated by a Committee on Scottish Administration in 1937, and have been or are being met by a process of rationalisation of departments in accordance with that Committee's recommendations.

Another criticism which is sometimes advanced in Wales and less often in Scotland is based on political party grounds. Both these nations have for years past returned majorities of "Progressives," i.e., Liberal and Labour representatives, to Parliament, whereas England, with its very much larger electorate, is more usually Conservative. The Conservative Party is, consequently, in power more often and for longer periods than other parties. Ministers must be drawn from the party in authority, and it follows that Scottish and Welsh administrations must necessarily for long periods be under the control of Conservative statesmen, although the local electorate belong mostly to other parties.

A further disability arises from the limited range of choice for Scottish and Welsh Ministers. It is obviously desirable that the Secretary for Wales should be a Welsh member of Parliament. In Wales

today there are only four Conservative M.P.'s. Some years ago there were none, and that position may yet recur. It may be, therefore, that where the choice of local party men for the office of Secretary is small or non-existent, the office will have to be filled by a Member of Parliament elected to serve an English constituency, or by a member of the House of Lords.

Despite the foregoing criticisms, the balance of advantage is probably on the side of administrative devolution, particularly if a fuller measure of autonomy is desired or later becomes necessary. In Scotland, some leading politicians claim that the disabilities complained of can best be met by a policy of "more devolution," and are pressing for the establishment of a Scottish Legislature combined with the transfer of other functions from the British to the Scottish departments. It is suggested therefore that the sound policy for Wales is to press for the appointment of a Secretary for Wales, in charge of functions comparable to those of Scotland, as a first step towards a Federal Home Rule system.

Let us now survey the efforts and proposals made from time to time in the direction of Welsh administrative autonomy under a Secretary for Wales subsequent to the activities of the *Cymru Fydd* period. The first attempt to frame a Bill, embodying a Secretary for Wales proposal, seems to have been made in connection with Brynmor Jones's proposal for a National Council of Education in 1908, to which reference has already been made.* The following is a summary of the clauses relating to the appointment of a Welsh Secretary :

* The Brynmor Jones Bill may be found in a publication of the Central Welsh Board entitled *Welsh Education Today and Tomorrow*.

- (1) A Secretary for Wales to be appointed, at a salary of £2,000 a year.
- (2) The Secretary, if not a member of the House of Lords, may sit in the House of Commons.
- (3) He shall have an official seal and any rule, order or regulation made under seal and signed by him or a person authorised by him shall be valid.
- (4) He shall have power to appoint such officers and at such salaries as he, with the sanction of the Treasury, may determine.
- (5) There shall be transferred to and vested in him the powers and duties (prescribed in a Schedule) of one of His Majesty's Secretaries of State, the Privy Council, Local Government Board and the Treasury "so far as such duties and powers relate to Wales."

As has been pointed out agreement could not be reached at the National Conference in regard to the basis of representation on the proposed National Education Council, and the draft Bill was not presented in the House of Commons. A few years later, in 1914, Brynmor Jones was associated with E. T. John in the preparation and submission to Parliament of a more comprehensive Bill.

Another attempt to obtain support for a Secretary for Wales Bill was made in 1919, but a Conference held in February of that year turned down the proposal, although it was suggested that the Government were disposed to consider the proposal favourably. At this period there was much general talk about Devolution, and Government legislation on the subject was anticipated. It was possibly this factor that influenced the Conference to pass a resolution demanding full autonomy.

The Welsh Members of Parliament, however, still favoured the lesser measure, and a Bill for the appointment of a Secretary for Wales was drafted on their

behalf with a view to its being introduced as a Private Members' Bill. In February, 1920, David Matthews, one of the Members for Swansea, drew a place in the ballot, and the Bill was presented on February 13, and ordered to be printed. As, however, it contained an inadmissible clause relating to a Welsh Forestry Commission, it was rejected as being out of order. It had therefore to be re-drafted, and was submitted to the House in its revised form on March 10. On account of the delay it lost precedence, and could not be considered.

Later on in the year a deputation of Welsh members awaited on Lloyd-George to enlist his support for the Bill. He advised them to press for a more comprehensive measure, a course which Welsh members were not disposed to accept. On February 18, 1921, Mr. Matthews again put forward his Bill which was identical with that of the preceding year. Here is a brief synopsis of the measure :—

- (1) Secretary for Wales to be appointed at a salary of £2,000, and to have power, in consultation with the Treasury, to appoint and fix salaries of necessary staff.
- (2) There shall be transferred to and vested in the Secretary for Wales such powers and duties as relate to Wales, by any Act of Parliament, law, or custom vested in or imposed upon any of the principal Secretaries of State in respect of the Home Department, the Board of Education, the Board of Agriculture and Fisheries, the Board of Control, the Local Government Board, the Public Works Loans Board, the Registrar-General, the Office of Works, the Ministry of Health or any other Government Department, Ministry or Authority as His Majesty may from time to time by Order in Council direct.

The other clauses cover substantially the same points as the Brynmor Jones Bill. In 1922, the Welsh

Party, or a section of them, were associated with Scottish members in the submission of a Federal Home Rule Bill, to which reference will be made later, and the debate on which proved a complete fiasco.

Soon after this the Coalition broke and Lloyd George went out of office. During the disturbed political conditions of succeeding years, Home Rule activities of all kinds receded into the background, and it was not until 1937 that any further Parliamentary action was taken in regard to Welsh Home Rule.

On October 29, of that year a short five-clause SECRETARY OF STATE FOR WALES AND MONMOUTHSHIRE BILL was presented to Parliament by Messrs. Clement Davies and Ernest Evans, backed by nine other members of the Welsh Parliamentary Party. This was probably the most simple and practical proposal yet submitted, and was based on the principle that Wales should receive exactly the same treatment in regard to administration as Scotland. Here is a summary of its main clauses :—

- (1) It shall be lawful for the King with a view to the creation of a Department of State for Wales (to be called the Welsh Office) to appoint a Secretary of State for Wales and a Parliamentary Under-Secretary to the Welsh Office to hold office during his pleasure.
- (2) Authority is given to the Secretary, subject to Treasury sanction, to appoint and fix salaries of necessary officers.
- (3) The Secretary to adopt an official seal and any rule, order or regulation made under seal and signed by him or a person authorised by him shall be valid.
- (4) All powers and duties exercisable by Secretaries of State shall be vested in and exercised by the Secretary of State for Wales "so far as such duties, powers, authorities, rights and privileges relate to Wales."

To the latter clause was attached a proviso which limited the duties, powers, etc., of the Welsh Secre-

tary to those exercised by the Secretary of State for Scotland, viz. :—

- (5) “ Provided that there shall remain vested in and exercisable by any of those Ministers of the Crown all such duties, powers, authorities, rights and privileges relating to Wales and Monmouthshire as would on the first appointment aforesaid if the same related to Scotland be vested in and exercisable by those Ministers of the Crown or any of them notwithstanding the existence of the Secretary of State for Scotland.”

During recent months the Welsh Parliamentary Party have again been considering the advisability of submitting proposals in Parliament for administrative devolution and have sought expert advice on the subject. Whilst the proofs of this essay were being revised, Mr. S. O. Davies, M.P., was informed by Mr. Attlee (Deputy Prime Minister) that he was unaware of “ a general desire that there should be a Secretary of State for Wales ” and that the Government did not propose to introduce legislation on the matter.

It seems obvious from this reply that the Government will, as usual, make no concession in the absence of an overwhelming public demand. Do the Welsh people really want this reform? A few local authorities and political groups have passed resolutions in favour of a Welsh Secretaryship, but, speaking generally, the public are indifferent, whilst a substantial number of people are definitely opposed.

Before any successful Parliamentary action becomes possible it is essential that an intelligent and well-informed public opinion should be created in Wales in favour of the reform. In view of the suspension of general elections procedure the responsibility for arousing such opinion seems properly to fall on the Welsh Parliamentary Party. It is therefore suggested that that body should draft a practicable scheme and actively seek support therefor in the Welsh constituencies.

VI.—WALES SURVEY BOARD PROPOSALS.

Since this essay was written a Memorandum relating to administrative devolution and the Welsh Secretaryship proposal has been submitted on behalf of the Wales Survey Board to the Welsh Parliamentary Party. This was drafted by Sir Percy Watkins whose vast experience of public administration entitles his views to special consideration.

The Board expresses opposition to the proposal for the appointment of a Secretary of State for Wales for reasons which have already in part been mentioned in the preceding section. The main criticism is based on the fact that party representation in Wales, like that of Scotland, is consistently "Progressive," whereas that in England is less stable and is more often Conservative in regard to the country as a whole. When a Conservative government is in power, therefore, the Conservative Secretary of State for Wales—the official advocate of Wales in the Cabinet—would have to support and implement policies which would be in direct conflict with those favoured by the Welsh people.

Another criticism is based on the ground that all approaches by Wales to the Government—whether by members of Parliament, deputations from local authorities and national bodies, or private individuals—would have to be made *via* the Secretary for Wales instead of, as at present, *via* the Minister or Department concerned. At present Welsh members have access to the several ministries to discuss matters affecting their constituencies, whereas under the proposed new

arrangement, it is suggested, they would have to discuss such questions with the Welsh Secretary who would not ordinarily be as well-informed concerning the work of each of the several departments as each separate minister is when he specialises in only one subject, e.g., Education or Public Health or Agriculture.

"We consider it to be of the first importance," says the Memorandum, "that nothing should be done to prevent Welsh Members of Parliament from being free, individually and collectively, to make direct approaches to responsible Ministers of State. If there were a Secretary of State it would be a point of etiquette that he only should be approached by Welsh members, and that any necessary approaches to other Ministers should be made by the Secretary for Wales."

It seems to me that the Board attach undue importance to these alleged disabilities, and it is significant that the Scottish critics of the system make no mention of them in their critiques. If, therefore, no difficulty seems to arise in Scotland, with its long experience of the system, is it not reasonable to assume that the Survey Board's fears are ill-founded?

The persons responsible for the Memorandum, however, are not satisfied with present governmental arrangements, and they submit alternative proposals for dealing with existing administrative defects. The following is a summary of their suggestions :

(1) *Welsh Departments.*

A larger number of genuine Welsh departments should be created within the important ministries. Such departments already exist with varying degrees of autonomy in the Ministries of Education, Health,

Labour and Agriculture, and it is suggested that similar arrangements should be made in several other departments, e.g., Home Office, Ministry of Transport, Ministry of Works, Ministry of Planning, etc. The Survey Board regard this suggestion as "one of first-class importance from the standpoint of the status accorded to Wales in matters concerned with the administrative side of government." I am in hearty agreement with this proposal, not, however, as a final settlement of the problem of government, but because it will pave the way towards full administrative devolution under a Welsh Minister.

(2) *Access of Secretaries to Ministers.*

The status of Welsh departments should be raised. The Permanent Secretary of the Welsh Department of the Board of Education has "direct access" to the President, but a constitutional right of similar access to their Ministers is not given to the heads of other Welsh departments. "Unless endowed with this important status," say the Survey Board, "the Head of a Welsh Department becomes little more than a territorial officer in his Department, and is under the direct control of the Chief Officers of his Head Office, and has no constitutional right to guide his Minister in relation to matters of special significance for Wales."

The improvement in the number and status of Welsh departments would, it is claimed, entirely dispense with any proposal to set up numerous separate Welsh offices having no integral relationship with the major departments which now exist for England and Wales combined.

(3) *A Permanent Welsh Advisory Council.*

The Survey Board envisages the possible constitution some day of the Welsh Parliamentary Party into a Parliament for Wales within the Imperial Parliament (apparently on the lines of the Grand Council for Wales suggested in the Speaker's Conference Report of 1920). Meanwhile it suggests "that the existing Advisory Council on Welsh Reconstruction Problems should be constituted a Permanent Welsh Advisory Council for all legislative purposes, and that it should be attached to H.M. Privy Council, the power to fill vacancies in the membership of the Council and the responsibility for presentation to Parliament of the annual estimates being conferred upon the Lord President of the Council."

Such a Council, it is proposed should have a paid Chairman, and an established Civil Servant as Secretary. It shall give advice to ministers not only on matters of prospective legislation submitted to it, but shall be free, on its own initiative, to submit legislative schemes and proposals affecting any aspect of Welsh life for the consideration of any Minister or Ministers concerned or, if deemed necessary, for the consideration of the Cabinet. The Council would be free to confer, when deemed expedient, with the Welsh Parliamentary Party and with the Permanent Secretaries of Welsh Departments.

"We regard this proposal," states the Memorandum, "as one likely to bring in its wake a far stronger and a far more satisfactory improvement in the status accorded to Wales in matters of government than would be effected by the appointment of a Secretary of State for Wales. It would in fact be a thoroughly democratic and effective recognition of the special

circumstances of Wales, without the slightest tinge of the dangers and disadvantages inherent in a separation of Wales from the rest of Great Britain, and without the risk of a political clash such as would be inevitable as a result of the appointment of a Secretary for Wales."

The idea of a permanent advisory body is doubtless quite sound, but it does not follow that its recommendations, particularly if they are advanced and progressive in character, will be embodied in legislation. The proposals submitted by advisory committees are more often ignored than acted upon. Under the Survey Board scheme the Welsh Advisory Council will be reporting to the heads of departments covering both England and Wales, and there will be no obligation on such Ministers, and no special inducement actuating them, to press for legislation on any particular matter affecting the interests of Wales. Moreover, as their major interests will relate to English administration they are more likely to push English demands than possibly conflicting demands relating to the Principality.

A Secretary of State for Wales, on the other hand, would be concerned solely with Welsh administration, and would specialise on Welsh needs. He would have no divided territorial interests, but would have a special incentive to press national claims. It is to the existence of such a Minister devoting himself entirely to Scottish affairs that Scotland owes its favoured position both as regards legislation and administration. A Permanent Advisory Council without a Secretary for Wales is, therefore, not likely to bring about much improvement in the status of Wales, or to yield substantial legislative or administrative changes.

The proposal will also be criticised on other grounds. First, that it is to be purely a nominated body with no elected element, and, secondly, on the ground that in composition it will largely reflect the political complexion of the party in power rather than the opinion of the Welsh people. It will also be objected that such a small composite body will not be competent to advise the Government on a variety of matters such as Education, Agriculture, Public Health, Planning, etc., and that such counsel can better be provided by special committees comprising persons expert in the several activities.

VII.—THE GOVERNMENT OF NORTHERN IRELAND.

Just as the Scottish system of administration constitutes a good precedent for a Welsh demand for administrative autonomy so does the constitution of Northern Ireland for a system of full Welsh Home Rule. A short description of Northern Ireland arrangements will, therefore, help to a clear understanding of proposals for self-government on federal lines.

After an agitation extending over the greater part of a century an Act was passed in 1914 under which Home Rule was granted to Ireland. This measure, which might have satisfied the demands of the Irish Nationalists twenty years earlier, was no longer acceptable, whilst the Ulster Unionists, who were mostly Protestants and feared domination by the Catholics of the south, were also hostile and wished to continue their association with Britain under the Act of Union.

A political deadlock ensued, and on the outbreak of War a Bill was passed suspending the operation of the Act until peace was restored. During and after the War there were serious troubles in Ireland, and in 1920 the Government of Ireland Act was passed which established separate Parliaments and Governments for Ulster and the rest of Ireland, and provided for their union when conditions became favourable and agreement between them was reached.

This Act did not satisfy the political aspirations of either party. The Ulster Protestants, however, accepted the proposals but the Nationalists repudiated

the measure, and ultimately a further Act was passed in 1922 under which the Nationalist south was granted a Dominion form of government. The southern provinces were then combined into an independent Irish Free State (Eire), whilst the Province of Ulster was constituted under the Act of 1920 into a federal state as a unit of the United Kingdom of Great Britain and Northern Ireland.

Under its new constitution, Northern Ireland was given a separate Parliament and Government for domestic purposes, whilst still retaining its connection with the British Parliament and Government. The Northern Ireland Parliament consists of the King and two Houses, a Senate and a House of Commons. The King is represented in Northern Ireland by a Lord Lieutenant (later renamed Governor) whose duty it is to summon, prorogue or dissolve Parliament, and to grant or withhold the Royal Assent to Bills passed by the two Houses. Unless sooner dissolved, each Parliament continues in being for five years and must meet at least once each year.

The Senate consists of two *ex-officio* members (the Lord Mayors of Belfast and Londonderry) with twenty-four senators elected by the House of Commons to serve a period of eight years, one half of them retiring every fourth year.

The House of Commons consists of 52 members elected by the same electors, voting in the same constituencies as for the 13 members (reduced from 30) elected to the United Kingdom Parliament for the transaction of non-domestic business. At first all elections were on a proportional representation basis, but this method was abandoned in 1929.

The procedure for Public and Private Bills for the

most part follows that of the United Kingdom Parliament. Money Bills can originate only in the House of Commons and may not be amended by the Senate. The House of Commons cannot take any action for the appropriation of any part of the public revenue or tax except in pursuance of a recommendation from the Crown. If a Public Bill from the House of Commons is rejected by the Senate in two successive sessions, provision is made for the two Houses to sit and deliberate jointly, and amendments and the completed Bill are carried if a majority of members present at a joint sitting are in favour.

The Northern Ireland Parliament has power to make laws for peace and good order within its limits on all matters relating exclusively to its own area save for—

- (a) *Excepted Matters* of Imperial concern, such as the Crown, the making of peace or war, the defence forces, election laws, foreign relations, alienage and naturalisation, external trade, submarine cables, wireless, telegraphy and aerial navigation, lighthouses, coinage, legal tender, negotiable instruments, trade marks, copyrights and patent rights.
- (b) *Reserved Matters*, arising out of reserved taxation and matters deferred until a united All-Irish Parliament is established, such as the postal services, post office and trustee savings banks, designs of postage stamps, and registration of deeds.

Executive government is vested in the Governor on behalf of the King, assisted by a Privy Council of Northern Ireland, who exercises it through the departments of the Prime Minister and Ministers of Finance, Home Affairs, Labour, Education, Agriculture and Commerce.

The following provisions for taxation and finance apply :—Customs, excise duties and income tax (including super-tax) and any tax on profits are reserved to the

United Kingdom Parliament and Government and are imposed, levied and collected by that Government, and paid into the United Kingdom Exchequer. After deduction of an agreed contribution towards imperial liabilities and the cost of reserved services the balance is paid over to the North of Ireland Exchequer on the certificate of a Joint Exchequer Board, which determines the amount of the North of Ireland contribution towards imperial services, etc. The North of Ireland Parliament has power to impose and collect other taxes for its own benefit, but not to make a levy on capital.

Northern Ireland has its own judiciary, consisting of a Supreme Court, with a High Court and a Court of Appeal, County Courts for dealing with disputes in regard to amounts below £50, whilst summary jurisdiction courts are presided over by permanent judicial officers called Resident Magistrates. Justices of the Peace are also empowered to deal with the minor offences of drunkenness and vagrancy but their duties are mostly of an administrative character.

VIII.—FEDERAL HOME RULE.

Whilst a considerable number of Bills relating to proposals for full devolution have from time to time been introduced into Parliament only two of these relate to Wales. The first of them, sponsored by E. T. John, who was assisted in the preparation of the clauses by D. Brynmor Jones, was introduced into the House of Commons on March 11, 1914.

Of all Welsh politicians of the last generation, E. T. John was the most untiring and unselfish advocate of all movements for the restoration and maintenance of Welsh national culture and the extension of Welsh political rights and liberties. He combined in himself the qualities of a shrewd business man with intense love of his native country. Unfortunately, he lacked fire and eloquence in advocacy, and was unable to inspire enthusiasm for the causes which he had so much at heart.

He had, however, a great capacity for the collection and arrangements of facts and statistics and was the first champion of Welsh Home Rule to undertake research into the economic, financial and administrative factors affecting the subject.

As a result of his investigations he was thoroughly convinced that Home Rule was not only financially practicable but that its institution would actually lessen the burden on Welsh taxpayers. Whether, as a result of the depressed economic conditions which have prevailed in Wales since the first World War, such a conclusion would hold good today is somewhat doubtful, and further intensive research,

probably by a Government authority, will be necessary before the exact position can be ascertained.

E. T. John's Bill embodied many of the clauses contained in earlier Irish and Scottish Bills, some of which form part of the Government of Ireland Acts. It was planned on federal lines and expressly stipulated that notwithstanding anything in the Bill "the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Wales and every part thereof."

It was a long document of 35 clauses, and it is possible to give here only a very short synopsis of the chief proposals :

- (1) Wales (including Monmouthshire) is to have a legislature consisting of the King and a single chamber Parliament, which "shall have power to make laws for the peace, order and good government of Wales," excepting the *excepted matters* mentioned in the Government of Ireland Acts.
- (2) The Executive clause is also similar to that in the Irish Acts, except that the King's representative is designated Lord President and the Ministers collectively are referred to as the Executive Committee.
- (3) The Welsh Parliament is to consist of 95 members returned by 25 constituencies by adult suffrage to serve for a period of four years unless the Parliament is sooner dissolved.
- (4) No Bill passed by the Welsh Parliament can become an Act until the Lord President has given assent on behalf of the King.
- (5) The present representatives of Wales in the United Kingdom Parliament (34) is to continue until a separate English Parliament has been set up.
- (6) With the exception of Customs the Welsh Parliament has the exclusive power of levying and collecting taxes in Wales, the revenue to be devoted exclusively to Welsh services, subject during the first five years to a

contribution of 3 per cent. per annum for Imperial Services (including the National debt). After the first period of five years the amount of the contribution is to be based upon the proportion the aggregate assessment to income tax in Wales bears to the aggregate of the United Kingdom, in each case averaged over five years, less an amount credited in respect of profits on the postal services and of revenues from Crown property arising in Wales.

- (7) Until the Welsh Parliament otherwise determine present judicial arrangements are to continue, but power is taken to create a Welsh division of the High Court of Justice, all appointments of judges, recorders, justices of the peace and registrars to be made by the Lord President on the advice of the Executive Committee, i.e., the Ministry.

There are, of course, numerous details which have not been summarised, but sufficient has been given to indicate the general nature of the suggested framework of government. Of course, the Bill had little chance of acceptance by Parliament, and was probably put forward for propaganda purposes only. The drafting of the Bill was none the less worth while as it put in a practical and legal form proposals which must be considered if and when a federal scheme of government is applied in the United Kingdom.

During the 1914-1918 War Home Rule propaganda was largely suspended. In 1918, however, post-war reconstruction, as to-day, loomed large in the public mind, and Welsh self-government again began to be discussed. The present Lord Davies took up the cudgels for Welsh Home Rule, and largely at his instigation a National Conference was convened at Llandrindod Wells at Whitsuntide, 1918, by Alderman S. N. Jones. This gathering was addressed by Messrs. David Davies, E. T. John, Forestier Walker, Llewelyn

76 A SURVEY OF WELSH HOME RULE ACTIVITIES

Williams, Sir Walter Nicholas and others and resolutions were passed in favour of—

- (1) A comprehensive measure of autonomy for Wales, including a Welsh Parliament upon which shall be conferred all the functions of government which are not by common consent Imperial concerns.
- (2) Pending the establishment of such Welsh Parliament every Government measure applicable to Wales shall be so framed that easy and speedy transference of power will be possible from the Imperial to the Welsh Parliament.
- (3) The Welsh Parliamentary Party were called upon to take the steps necessary for the introduction of a Bill conferring upon Wales the right of self-government.

Another resolution favouring the appointment of a Secretary for Wales as a necessary step towards further autonomy was not so favourably received but was ultimately carried by 97 votes to 48.

The Conference appointed an Executive Committee with Messrs. W. H. Williams and Gwilym Hughes as joint secretaries to further the movement. A few weeks later a Labour Conference held at Cardiff declared for Federal Home Rule. During the following months the Llandrindod resolutions were endorsed by eleven out of the 17 County and County Borough Councils of Wales. The Flintshire and Newport Authorities were the only dissenting bodies.

Simultaneously with this activity in Wales, English and Scottish advocates of Federalism were voicing their views in London and elsewhere. In 1918, Lord Brassey headed a deputation, which included the Chairman of the Welsh Parliamentary Party, to the Prime Minister (Mr. Lloyd George), to place before him the claims for all-round devolution. In his reply the Prime Minister stated that whilst Wales and

Scotland were converted, England had yet to be won over to the idea.

On March 5, 1919, in the House of Lords, Lord Brassey moved—

“ That for the purpose of—

- (a) securing prompt and efficient handling of pressing domestic problems and better control over public expenditure, and
- (b) enabling the Imperial Parliament to devote more attention to the general interests of the United Kingdom and matters of Imperial concern than is possible under the present system of a single Parliament and Cabinet—

the establishment of local legislatures throughout the United Kingdom is a national necessity.

Lord Brassey based his case entirely on the “ congestion of business ” argument. He made no reference to the inherent claims of separate and distinct nationalities.

His chief opponent, Lord Bryce, objected that the adoption of such a scheme would multiply executives and administrations, devolution would lead to protracted litigation between local and central legislatures on the subject of the definition of their respective powers and areas of action, and, owing to the great inequalities of size, population and wealth among the several areas, would result in instability and conflict.

Less than three months later in June, a resolution moved in the House of Commons by Mr. Murray Macdonald and carried by 137 votes to 42, was couched in similar terms to the Brassey resolution, but called for the appointment of a Parliamentary body to consider and report upon—

- (a) A measure of Federal Devolution applicable to England, Scotland and Ireland, defined in its general

78 A SURVEY OF WELSH HOME RULE ACTIVITIES

outlines by existing differences in law and administration between the three countries.

- (b) The extent to which these differences are applicable to Welsh conditions and requirements; and
- (c) The financial aspects and requirements of the measure.

Four months later in October, 1919, the Government announced the appointment of a Conference on Devolution, comprising thirty-two members drawn from the two House of Parliament, under the chairmanship of the Speaker. Messrs. Charles Edwards (Labour), J. Hugh Edwards (Liberal) and Forestier Walker (Conservative) represented the Welsh Parliamentary Party on the Conference. The Report of the Conference which took the form of a letter from the Speaker, supplemented by a series of memoranda, was presented to Parliament in April, 1920.

The results of the Conference deliberations were disappointing and inconclusive. It is clear that a large section of its members were hostile to the principle of devolution and could not, therefore, be expected to report favourably on methods of achieving devolution. However, agreement seems to have been achieved in regard to areas, powers, finance and the judiciary, but there was extreme conflict of opinion in regard to the composition of the legislature. Here are the chief points of the Speaker's Report :—

- (1) *Areas*.—Scotland and Wales were accepted as separate and undivided areas, but as the sub-division of England presented formidable administrative difficulties, its retention as a single unit was recommended at any rate in the initial stages.
- (2) *Powers*.—It was agreed that specified powers under the following heads should be devolved; Regulation of internal commercial undertakings, professions and societies; order and good government; ecclesiastical matters; agriculture and land; judiciary and minor legal matters; education; local government and

municipal undertakings ; and public health.

- (3) *Finance*.—To meet the expenditure on the transferred undertakings (including those covered by Local Taxation Grants) there shall be handed over to the Local Legislatures annually for a period of five years the revenues from liquor licences, establishment and traders' licenses, entertainments duty, inhabited house duty and land values duty, together with the nett yield of so many pence in the pound of the annual Income Tax (excluding super tax) as will, at the outset, balance the account. After the end of five years the whole situation with regard to allocated funds and taxes to be reviewed.
- (4) *Judiciary*.—Subject to the reservation of legislation relating to major crimes included in the Extradition Treaty lists to the United Kingdom Parliament, each local Legislature shall be free to determine such changes as may be necessary. The Scottish judicial system to remain unchanged and any change in regard to Wales shall take place only if and when asked for by the Welsh Legislature. When devolution takes place Monmouthshire shall be transferred from the Oxford Circuit to the South Wales Circuit.

As I have stated the Conference were very divided upon the character and composition of the local legislative bodies. A scheme prepared by Mr. Murray Macdonald was not acceptable to a large number of members, and the Speaker drafted an alternative scheme. Both schemes were equally supported by the signatures of members. In view of such a wide divergence of opinion legislative action by the Government on the basis of the Report was scarcely possible. It will, nevertheless, be of interest if a synopsis of the main points of the two proposals is given.

MURRAY MACDONALD SCHEME.

- (1) *Composition*.—Separate legislatures for England, Scotland and Wales consisting in each case of a directly

elected chamber (or two if thought essential), with the same number of members, elected for the same constituencies and by the same electorates, as now represent the several countries in the United Kingdom Parliament. Each legislature to sit for five years unless sooner dissolved.

- (2) *Legislative Powers*.—As set forth in the Speaker's Report, together with other powers which may later be allotted. The inherent and supreme rights and powers of the United Kingdom Parliament are to remain absolutely unimpaired, and it is not to be debarred from legislating on devolved matters and passing an Act over-riding the Act of a subordinate legislature. The Royal assent may be with-held to an Act of a local legislature on the ground not only of validity but also of policy.
- (3) *Executive*.—Local legislatures to administer devolved powers through departments transferred or separately established. Each local legislature is to have an Executive Committee responsible to it, such Committee to consist of persons appointed by the King who must be members of the legislature. Powers of the Crown to be exercised through a Secretary of State acting on instructions issued by the King in Council.
- (4) *Finance*.—Financial powers as described in the Speaker's Report. If a bi-cameral legislature is set up, money bills must originate in the popularly elected chamber. Taxes imposed by the local legislatures are to be collected through existing United Kingdom machinery, so far as that machinery is at present employed. Local legislatures to have borrowing powers under similar conditions to those observed by the Imperial Parliament.

As common agreement could not be obtained for the Murray Macdonald scheme the Speaker prepared a scheme of his own in the hope of reconciling the conflicting views. It was devised to give a practical trial of the working of devolution by responsible persons with political experience, and provided for

subordinate legislatures constituted not by special election, but of persons who are members of the United Kingdom Parliament.

After a limited period these bodies would have the duty of deciding, in the light of practical experience and without outside interference, the permanent constitution for their respective areas. Each area would have the choice of adopting a constitution involving separate elections, their continuance as at first constituted, or reversion to the position prior to devolution.

SPEAKER'S SCHEME.

- (1) *Composition*.—Subordinate legislatures called Grand Councils to be set up for England, Scotland and Wales, comprising two chambers—

- (a) Council of Commons consisting of the members of the United Kingdom House of Commons for each area.
- (b) Council of Peers comprising for each area a number of members of the House of Lords equal to half the number of members of the Council of Commons, chosen for the duration of each Parliament by the Committee of Selection of the House of Lords.

The Grand Councils to meet in London or elsewhere in the Autumn when the United Kingdom Parliament is not in session or/and at times arranged by the Home Secretary.

- (2) *Legislative Powers*.—Devolved powers as in Speaker's Report. Other provisions substantially those of Murray Macdonald scheme. In addition provision is made, in case of disagreement, for a free conference of both Houses, followed if necessary by a joint session of the Grand Council consisting of the two Houses, who shall sit and vote and may debate together.

- (3) *Grand Council Executive*.—All devolved powers exercisable by the Grand Council through transferred or

82 A SURVEY OF WELSH HOME RULE ACTIVITIES

new departments. Each Grand Council shall have an Executive Committee consisting of a Chairman appointed by itself, and the heads of departments (who must all be members of the Grand Council) appointed by the Chairman as his colleagues.

- (4) *Transitional Provisions.*—After three years have elapsed the Grand Council in joint session is to consider, during a period of two years, proposals relating to its own constitution. During a further period of one year any scheme agreed to by the Grand Council must be submitted in the shape of a Schedule to a Bill to the United Kingdom Parliament for acceptance or rejection without amendment.
- (5) *Financial Powers.*—These are the same as those contained in the Murray Macdonald scheme.

Both schemes were very coldly received in Welsh political circles, and in *The Welsh Outlook* and elsewhere the various provisions were severely criticized. The framework of the Murray Macdonald scheme was preferred, but the details were not generally acceptable. The following were some of the grounds of criticism.

The scope of the functions to be devolved was too limited. A Welsh legislature would be debarred from dealing with such subjects as afforestation, fisheries, industrial development, railways, trade unions, etc., which closely affected the interests of Wales.

The aim of the advocates of devolution was to separate all domestic functions from those of an Imperial character, so as to avoid the hopeless confusion of political issues and responsibilities inseparable from the control by the same body both of central and local interests.

Neither scheme achieved this aim as the United

Kingdom Parliament was still to retain control over a large body of functions, which were not of an Imperial character, and elections would still be fought as much on local as on Imperial issues.

Under the Grand Council scheme legislative power would still be in the hands of members elected to legislate both for Imperial and local affairs, and the devolution of local legislation to a Grand Council meeting at times when the Imperial Parliament was not in session did not solve the problem of congestion.

Exception was also taken to the limitations imposed on the local legislatures, which were expressed to be subordinate to the United Kingdom Parliament. The latter reserved the full right of legislation over the subordinate Parliaments, and Bills passed by the local legislatures could be vetoed by the Crown on the advice of the Imperial Cabinet or set aside as *ultra vires* by the Privy Council not only on grounds of validity, but also of policy.

Complaint was also made that in each case the United Kingdom retained control of the purse. Under E. T. John's Bill all taxes were to be levied and collected by the local administration and contributions made for Imperial purposes to the United Kingdom exchequer. Under both the present schemes the reverse process was to apply. The dependence of the local administrations on grants from the Imperial exchequer would make local autonomy a fiasco.

Numerous other objections were made on other grounds, and some Welsh Nationalists expressed feelings of disgust with the proposals. It is interesting to record that E. T. John, who had hitherto been a Federal Home Ruler, now intimated his conversion to Dominion status. He claimed for Wales the

full rights of a sovereign state with separate membership of the League of Nations.

As I have already pointed out, whilst the Speaker's Conference was deliberating, the Welsh M.P.'s were promoting a Secretary for Wales Bill, the second form of which was before the House of Commons in March, 1920. Lloyd George was apparently opposed to this move and in the following August he urged a Welsh deputation, sent to enlist his support for the measure, that they should "go for the big thing—Federal Home Rule," a measure which would receive Government support. This was before the presentation of the Speakers' Report.

The Prime Minister's views were apparently not shared by his Cabinet for in December of the same year he told another deputation that the Government would not touch the Devolution question, as England was not ready for such a measure. He suggested that an attempt should be made to put forward a Devolution Bill, as an agreed non-party measure.

In July, 1921, the Government made an announcement that they did not intend to take any action on the Speaker's Report, and in the following month Lloyd George again advised a Welsh Party deputation that it was futile to proceed with their Secretary for Wales Bill. He recommended them to try to secure a place during the next session for a Bill securing full autonomy for Wales in regard to domestic matters and hinted that such a Bill would receive Government support.

Early in 1922 the Welsh Parliamentary Party appointed a Committee to draft, in association with Scottish members, a Home Rule Bill based on the Murray Macdonald scheme. The proposals were laid

before a Conference of local authorities at Shrewsbury in April. The attendance at this conference was very poor, there being only about fifty persons present, and very little enthusiasm was shown for the measure. Criticism was, as is usual in connection with all proposals for Welsh national authorities, directed against the basis of representation, the North Wales and rural delegates objecting to representation based on population which would give "Bolshevist South Wales" an overwhelming majority in the Welsh Parliament. The Conference was quite abortive of results.

THE GOVERNMENT OF SCOTLAND AND WALES BILL was presented to Parliament on May 8, 1922, by Mr. Murray Macdonald, supported by eleven others, including three Welsh Members. The Bill contained thirty clauses and largely followed the plan which was before the Speaker's Conference. Here is a summary of the chief clauses, referring to Wales :—

- (1) The Welsh Parliament shall consist of the King, a Senate of Wales and a House of Commons of Wales.
- (2) Notwithstanding the establishment of a Welsh Parliament the supreme authority of the United Kingdom Parliament shall remain unaffected and undiminished.
- (3) Such Parliament shall have power "to make laws for the peace, order and good government" of Wales, but not in respect of certain specified matters. The devolved powers are those mentioned in the Speaker's Report.
- (4) Any Welsh Act dealing with any matter dealt with in a later United Kingdom Act shall be read subject to the latter, and so far as it is repugnant to that Act shall be void.
- (5) Executive power shall continue vested in the King, and may be exercised on his behalf by a Secretary of State appointed by him.

- (6) Devolved powers shall be exercised through such departments as the Welsh Parliament or the Secretary of State shall establish.
- (7) Such persons, who must be members of the Welsh Parliament, as the Secretary of State may select shall be Ministers of Wales and shall constitute an Executive Committee to assist and advise him in the exercise of his executive power in relation to Welsh services.
- (8) The Secretary of State shall give or withhold the King's assent to Bills passed by the Welsh Parliament.
- (9) The Senate of the Welsh Parliament shall consist of 36 members to be elected as follows : Two members representing the Council of each County and County Borough in Wales and two appointed by the University of Wales. Membership to be for nine years, one third retiring every third year.
- (10) The Welsh House of Commons shall consist of 72 members returned by Welsh constituencies, each existing Parliamentary constituency being divided into two for the purposes of this Act. After three years electoral law may be changed and constituencies re-arranged.
- (11) Provision is made in cases where the Senate rejects a Welsh House of Commons Bill for both Houses to sit and vote together as provided for in the Speaker's Grand Council proposals.
- (12) There shall be a Welsh Exchequer and a Consolidated Fund separate from that of the United Kingdom. The Welsh Parliament may make laws relating to taxation other than customs duties, excise duties and income tax and any other tax substantially the same in character, and the Welsh Government shall have full control over the charging, levying and collection of such taxes, and the proceeds thereof shall be paid into the Welsh Consolidation Fund.
- (13) The Welsh Parliament shall provide for the cost of Welsh services and any charge on the Consolidated Fund of the United Kingdom shall cease.
- (14) Until the financial relations between the United Kingdom Parliament and the Welsh Parliament are revised

the latter shall pay to the former each year a sum equal to the difference between the ascertained annual cost of Welsh services and the proceeds at the time of the passing of the Act of existing transferred taxes, and in addition an annual Imperial contribution equivalent to the actual cost for that year of the Welsh services existing at the date of the Act.

- (15) For the purpose of determining the amount to be paid and other financial provision a Joint Exchequer Board shall be established which shall report on what contribution shall be made to the United Kingdom Exchequer having regard to the cost of Welsh services and the expected revenue of the Welsh Parliament.
- (16) Present judicial arrangements shall continue, but the Welsh Parliament may, after three years' lapse, apply to the United Kingdom Parliament for a separate Welsh judiciary. Provision is also made for appeals to higher courts in regard to the validity of any Act of the Welsh Parliament, and also to the Judicial Committee of the Privy Council on constitutional questions.

Of course there was no hope of a private Bill affecting the constitution so extensively being proceeded with ; constitutional changes in practice can be made only through legislation promoted or backed by the Government. The debate on the measure was not of a very high order, and the introduction of the measure, therefore, did not carry great propaganda value.

Later in the year the Coalition Government broke up and Lloyd George went out of office. At the ensuing election and in those of 1923-24, although the Union of Welsh Societies circulated to candidates a questionnaire on the subject, Home Rule was not an important issue at Welsh electoral contests. The only political party which unitedly, if not formally, supported Welsh Home Rule was the Labour Party, and it is significant that two Welsh Labour Members

tabled an amendment to the Address in reply to the King's Speech regretting the omission of Welsh Home Rule. Scottish Labour M.P.'s also expressed a demand for Home Rule for Scotland.

Since 1925, the demand for Welsh autonomy, on the basis, however, of separation from the United Kingdom, has been confined for the most part to the Welsh Nationalist Party.

IX.—THE WELSH NATIONALIST PARTY.

No account of Welsh self-government propagandist efforts will be complete which does not make reference to the activities of the Welsh Nationalist Party (*Plaid Genedlaethol Cymru*) the most important and active Home Rule organisation which Wales has yet known.

This body, founded in 1925, has been and is carrying on with relentless vigour propaganda on behalf of an advanced type of Nationalism—political, cultural and economic—involving severance from England and the establishment of an independent Welsh State within the framework of the British Empire.

There is no room for compromise of any kind within its programme. It indicts England for many alleged injuries inflicted on Wales. English Government destroyed Welsh law and overthrew the barriers that safeguarded its social and individual life, England introduced the worldly canons and standards of English commerce, appropriated the communal land of Wales and raped the country of the riches above and beneath its soil. In their avaricious search for wealth a horde of ruthless English capitalists sucked her life blood. Welshmen were deprived of their freedom and degenerated into mere cogs in the wheel of a robber machine.

“The English Government has destroyed practically all the bases of our national unity. It has deprived us of our political freedom, so that we have no Welsh Government ; of our laws and law courts so that we have no Welsh system of justice ; of our economic independence, so that we have become slaves to the City of London. All these we shall have to rebuild from the very foundations.”

“The ruin and disintegration of the ancient society, the destruction of her law and social organisation and their replacement by others hostile to her, the official ostracism of her language, the confiscation of her land—such has been the lot of Wales in the past.”*

The foregoing statements from an official publication seem to indicate a tendency to glorify the Welsh system of society in the Middle Ages, and to exaggerate the results of the change to a more modern system of social organisation. “Back to Medievalism” would appear to be the aim of the new Party, and as such a restoration of old conditions is impossible so long as Wales is linked with England, there must be a clean severance from the major partner and the establishment of an independent Welsh state. How is this to be brought about? Let me again quote from the official statement of policy.

“What, then, is the political remedy. Precisely, that which was applied to Ireland, Canada and Australia, viz., a Parliament with full power to organise the internal structure and to determine the foreign relations of the country. The official name given to this power is Dominion Status, and nothing short of this will satisfy us. A Secretary for Wales is not enough, and such a measure of de-centralisation as that of Northern Ireland (Ulster) is not adequate. Both at their best are mere morsels which serve only to postpone the full meal. We demand, therefore, nothing short of Dominion Status, and let nothing else be offered to us.”†

Dominion Home Rule with representation on the League of Nations, is the irreducible minimum political demand of *Y Blaid*.

Culturally the Party stands for a Welsh Wales. The official language of Parliament, of Education, and of the Law Courts must be Welsh.

* See *The New Wales: Synopsis of the Policy of the Welsh Nationalist Party* by J. Gwilym Jones.

† Ibid.

"Our language is the symbol of our nationhood before the world, and it is at our peril that we neglect it."

"The keystone of the Welsh Nationalist Party's policy is that the Welsh language should have precedence over all other languages on its own soil."

"It should be made impossible for anyone to receive his education in Wales without learning the language."

"No-one who is not Welsh-speaking should be appointed to a post under the Government or any public authority. Consistently with this, Welsh should be one of the official languages of every department of the Central Government, and of every local authority in Wales."*

Unlike the older Welsh political movements, e.g., *Cymru Fydd*, the Welsh Nationalist Party has also formulated an economic and social policy based on—

- (1) Control of finance and credit by the Welsh Government.
- (2) Control of economic organisation by associations of individuals and local authorities.
- (3) The maximum possible distribution of land and property.
- (4) The de-industrialisation of South Wales.
- (5) The restoration of agriculture as the chief industry of Wales, supplemented by associated rural industries.
- (6) "The organisation of its economic life on the basis of its own home market. . . . We have an empty countryside and no light industries. Economic nationalism is the obvious remedy, provided Wales wishes to remain a nation."
- (7) "As far as possible, agriculture and rural industries, and the establishing of new industries, will be carried through on the principle of co-operation. . . . But where an industry because of its magnitude cannot be thus organised, it will be organised by the local authorities."*

Whilst I disagree with the basic assumptions of *Plaid* propaganda and also with its general policy and with the greater part of its programme, I do not

* *The New Wales*. See also Professor Daniel's *Welsh Nationalism: What it stands for*.

propose to subject these to detailed criticism. I sympathise with the intense patriotism of its adherents and admire their devotion to the service of Wales, but I believe their general policy is mistaken and quite impracticable.

“Wales for the Welsh,” which is not an unfair summary of their general position, is as antiquated and as dangerous and as selfish as Hitler’s “Germany for the Aryans.” Moreover, it ignores hard facts.

More than two-thirds of the population of Wales are concentrated in the South Wales Coalfield region, and although the majority are of Welsh descent, or have, like myself, become Welsh either through birth or long residence in the area, their political and economic interests and contacts are a more significant factor in their lives than the question of their national origin or upbringing, whilst a very large minority are English in their general outlook.

To expect this vast mass of people to accept a policy of separation from England, therefore, whilst it indicates great faith on the part of the *Plaid*, also shows its lack of appreciation of the hard facts of life. The population of South Wales—and to some extent of that of many North and West Wales areas, especially the seaside resorts—has been so diluted by external elements, Welsh language and culture so much neglected, our society has become so stratified and our national ideals so confused, that, whatever may be the attitude of Welshmen in some rural and semi-industrialised areas, there is no possible hope of the vast majority of the industrial population of Wales accepting *Plaid* doctrines.

Nevertheless, its work has not been entirely in vain, for there can be no doubt that it has caused

the people of Wales to take greater interest in the question of Welsh self-government, and much more support is now available for proposals for administrative autonomy and also for the establishment of a Welsh legislature for domestic purposes than was formerly the case. What a pity that the Welsh Nationalist Party does not modify its policy and concentrate its activities on the achievement of these necessary and more practical reforms !

X.—SOME CONCLUSIONS AND A POLICY.

The foregoing brief review of Welsh Home Rule proposals, activities and tendencies over a period of more than half-a-century is, in the main, a record of failure. There is nothing to show for the efforts made, and it will be of interest to indicate some of the reasons why no success had been achieved.

(1) *Wales has never felt an overwhelming desire for Home Rule*—no desire, at any rate, comparable with that shown by the Irish. The switch-over of the Welsh people to Liberalism about the middle of last century was largely the result of hostility to Tory landlordism, with which in their minds was associated the privileged position of an alien Anglican Church.

Land Reform and Church Disestablishment were the outstanding local political demands, and Non-conformist leaders supported the Liberal Party because they thought that there was a better chance of these problems being solved by the Liberal than by the Tory party.

Welsh political effort was in the main concentrated on winning these demands—particularly Church Disestablishment—and it was not until the 1880's that Welsh self-government came to be regarded as necessary for the good of Wales and its political achievement a possibility. Moreover, the converts to this new idea comprised only a very small proportion of the Welsh people.

Like most new movements in Wales, Home Rule was at first advocated mostly by young men—by Tom Ellis, Lloyd George, and others mostly below

the age of thirty—and their fiery advocacy attracted support mainly from people of their own generation, who were prepared to divorce themselves from the older parties and to form an Independent Welsh Party for the achievement of Welsh reforms, including Home Rule.

The older politicians looked askance at the new movement. They preferred to cling to the coat tails of the English Liberal Party, which, to ensure their support, promised legislation in respect of their particular grievances. Had Wales accepted the policy of the *Cymru Fydd* leaders and formed an Independent Welsh Party, Wales might long since have won a substantial measure of self-government.

Even at the height of its activity *Cymru Fydd* attracted the support only of a minority of the Welsh people, and since that movement fizzled out it cannot be said that the subject has aroused any great public support.

To-day, the demand for full Home Rule does not exist to any considerable extent—at least it is not a *live* movement—although largely as a result of *Plaid* activities far more interest is being taken in the subject than formerly.

At eisteddfodau, St. David's Day celebrations, and at some political meetings speakers still pour out enthusiastic expressions of national sentiment—which are, of course, appropriate to such gatherings—but little or no effort has been made to crystallise these into a practical political creed, and to build up a powerful movement for the translation of such creed into action.

Home Rule for Wales can never be realised by lip service only. Wales must be shown that a measure of

self-government is essential to its continued existence as a distinct nation, and necessary to the extension of its material prosperity. When the nation is fully conscious of these facts then the time will be ripe for legislation.

(2) *Wales has been represented in Parliament hitherto, by a body of men who, with few exceptions, have done little to further the cause of self-government.*

Theoretically, Members of Parliament are elected to give expression to the demands of their constituents. Actually, however, under the confused and complicated conditions of the last few decades political demands do not arise spontaneously from the masses, and there is need for educating the constituencies in the necessity for practical forms of self-government.

The *Cymru Fydd* group, in spite of the spiteful and jealous opposition of their Parliamentary colleagues, regarded active propaganda in the constituencies as an essential part of their public duty. Since their day Welsh Members of Parliament have mostly shirked this task, and even at election periods Home Rule has very rarely been a live issue. Wales is inert on the subject of self-government largely because its political leaders in Parliament have taken no steps to awaken popular interest in it.

Welsh members of Parliament are again interesting themselves in the question of administrative devolution. Liberal, Labour and Conservative representatives are agreed as to the need for this, but are they satisfied that Wales wants this? And what steps have they taken to secure such a body of support in the constituencies that the Government will be obliged to give the demand their serious consideration?

(3) *The Home Rule Movement in Wales has suffered through lack of a definite and consistent policy.*

Apart from the fact that the Home Rule movement in Wales has always been a minority movement, there has been no uniformity or unity as regards the nature and extent of the devolution desired. The *Cymru Fydd* advocates started off with a demand for Federal Home Rule, but in Parliament they switched over to proposals for a Secretary of Wales and the establishment of a National Council for the most part on the Local Government level, with limited legislative power.

Welsh education leaders narrowed the demand for a National Council to a National Council for Education, sometimes with, sometimes without a Secretary for Wales, and apparently this demand, despite formidable objections, is still alive.

Then we have had at least two Parliamentary Bills for the establishment of a system of federal government and another four for the appointment of a Secretary of State for Wales only, whilst during the past 18 years the Welsh Nationalist Party have been demanding Dominion Status.

In the face of this lack of a definite and consistent policy and the absence of unity in Wales with regard practically to every proposal, apart from other reasons, is it surprising that Welsh Home Rule has not been attained in any form ?

Before Welsh self-government can be achieved, it is essential that there should be close co-operation between Parliamentary representatives and their constituents in the furtherance of an agreed programme and policy, and a steady, continuous and concentrated effort towards their achievement.

Opinion will differ as to the policy to be pursued. The Welsh Nationalist Party's proposal for Dominion Status, as I have pointed out, is quite impracticable, unless indeed the United Kingdom is some day merged in a Federal Europe, which does not at present seem likely.

My personal preference is for a Federal system, under which Wales will have complete autonomy as regards domestic matters, but I do not think the time is ripe for making such a demand, and it seems advisable to commence with a smaller and less controversial measure aiming only at administrative autonomy.

I suggest, therefore, that a sound and progressive policy should be framed somewhat on the following lines :

(1) *Administrative Devolution.*

The first obvious step is to link up Wales with Scotland and to demand for it the same provision for government that Scotland possesses or may possess. There are movements afoot in Scotland in favour both of Federal Home Rule and of Dominion Status.

Scotland has at present, however, a system of administrative devolution which is being extended from time to time, and the possession of which has enabled that country to obtain special legislative treatment. For example, at the time of writing, there is a Bill before Parliament under which the Government are authorised to guarantee loans up to a total of £30,000,000 for a publicly-constituted Hydro-Electric Board whose function will be the economic development of the Scottish Highlands.*

* This Bill has now been passed by Parliament.

The first advance, therefore, lies in the direction of securing for Wales the establishment of a Welsh Office and other administrative departments under the control of a *Secretary of State for Wales*.

The Clement Davies Bill of 1937 is a simple and short Bill which aims at the granting to Wales of exactly the same arrangements as already exists in Scotland. The re-introduction of this measure, or another embodying the same principle, should be made at the earliest opportunity, for such a reform would enable problems of post-war reconstruction to be dealt with more expeditiously and on lines suitable to Welsh circumstances and needs.

(2) *A Parliament for Wales.*

When, as seems likely in the not-distant future, the question of general devolution or the granting of legislative autonomy to Scotland arises, a strong claim should at the same time be made for the treatment of Wales as a single unit on equal terms with the sister countries. The establishment of a Federal Parliament in Northern Ireland has prepared the way for the setting up of similar Parliaments in England, Scotland and Wales.

(3) *Welsh Departments of New Ministries.*

Meanwhile, in connection with the establishment or extension of new ministries and departments, such as the newly-established Ministry of Planning, action should be taken for securing the organisation of Welsh sections on lines which will enable them to be later merged without difficulty into the Welsh administration when established.

(4) *A National Administrative Council for Wales.**

Lastly, in connection with forthcoming legislation for the re-organisation of Local Government arrangements there should be formulated a proposal for the establishment in Wales at the local government level of a National Administrative Council for the discharge of functions which require units of administration far larger than existing counties, e.g., teachers' training colleges, special schools for the blind, mentally defective, etc., mental institutions, national industrial development, national planning and the like, and which can also serve as an advisory body to the Secretary for Wales and the Welsh administrative departments.

Here is a four-point programme which, if a properly directed, popular campaign was organised in the constituencies, would, I think, be accepted by most Welsh people, and with such backing the Welsh Members of Parliament would be encouraged to take vigorous action for its achievement.

* For further details of this proposal see my booklet in this series entitled *The Government of Wales*.

XI.—WAKE UP, WALES!

Although in the foregoing essay I have been dealing with a political subject, I am not a politician, at least not in the party sense of the term. My chief interest is in Wales and its people—in the wise development of its resources, including agriculture, in the proper planning of its territory and the preservation of its scenic beauty, in the improvement of living conditions and the furtherance of the general welfare of its people, and in the preservation of Welsh language and culture.

The attainment of these objects rests very largely on governmental organisation, on the operations of the State administration and of the local authorities. It is essential, therefore, that the machinery of government in Wales, both national and local, should be suited to Welsh conditions, and so devised as to ensure maximum efficiency.

In a previous booklet—*The Government of Wales*—I have suggested a method of local government re-organisation. In the last section of this essay I have outlined a policy, the adoption of which will enable Wales progressively to attain a system of legislation and administration of laws best suited to her needs.

I do not claim infallibility for my views, but I hope readers will give them serious thought. The important consideration is that Welsh men and women—especially the younger section—should “think on these things.” I hope that this survey of the activities and proposals of past Welsh Home Rulers will encourage groups of young people throughout

Wales to form study groups on the subject, and for that purpose I have appended a short bibliography of works which might be consulted.

In the past—especially the recent past—Welsh people have been inclined to leave their political thinking to their representatives in Parliament and on local authorities, and have not played their parts, either as British citizens or Welsh patriots. This attitude of apathy and somnolence is injurious to our country's best interests. That is why I had intended to call this book *Deffro mae'n ddydd* ("Awake, it is day"), but in deference to those Welshmen who have, unhappily, not learned the national language, I have called it *Wake Up, Wales!*

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Readers who desire a more detailed record of proposals and activities than is contained in this booklet are recommended to search the files of Welsh magazines, such as *Y Geninen*, *Y Traethodydd* and *Y Ddraig Goch*, and of English publications, such as *The Welsh Review* (2 series), *Young Wales*, *Wales*, and *The Nationalist*.

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